

EASTERN INTERIOR ALASKA  
FEDERAL SUBSISTENCE REGIONAL  
ADVISORY COUNCIL

VOLUME I

PUBLIC MEETING

October 15, 1997  
Community Hall  
8:30 o'clock a.m.  
Dot Lake, Alaska

COUNCIL MEMBERS PRESENT:

CRAIG FLEENER, CHAIRMAN  
PHILIP J. TITUS, VICE CHAIRMAN  
NATHANIEL GOOD, SECRETARY  
LEE A. TITUS, MEMBER  
STEVEN E. GINNIS, MEMBER  
CHARLES P. MILLER, SR., MEMBER  
GERALD D. NICHOLIA, MEMBER  
CALVIN M. TRITT, MEMBER

Vince Mathews, Coordinator

## P R O C E E D I N G S

(On record: 8:45 a.m.)

MR. FLEENER: Go ahead, Vince, the show is yours.

MR. MATHEWS: All right. Well, what we're doing at this session -- I suppose for the record, I'm Vince Mathews, the Regional Coordinator for Eastern Interior. And we have Paul Starr and Virgil. There are agendas in the back. This is the first time for this council we're going to have an hour or two work session. The idea for the work session came up out of the Tanana meeting, that maybe if we had a better understanding what staff, and what council were going to do, and others were going to do, maybe things would have gone a little bit different than they did in Tanana, okay? So this is a work session. We're just going to kind of go through the agenda, but not actually take action on it, so we know how it's laid out. Also, if there's some things in there that you would like explained differently, or done in a different way, then that's how we would talk about it.

Okay. Lee is going to try to be here by probably in an hour or so. The rest of the people will be here at 11, so we're going to have to kind of hold off on some of this stuff until probably 11, if we can, meaning actual action items. Does that make sense? So this is kind of a free forum for the work session, so I'm just going to walk through the agenda. If you guys have questions about how it's presented, not what is presented, but how to present it, ask. Now, before I do that, the work session I think will be critical for the next meeting. When we actually have proposals in front of us, I think that will be more critical. Pete's probably going to help me out on some of the stuff, but it's kind of get a feel so we know what's going on. The reason we're recording it or on record is because it gets into a touchy area if we have what's called a closed or executive session meeting, so we're actually having a public meeting now, but you're not going to take any actions, okay.

So if you look -- the agenda's under Tab A, if you want to look at that. I don't need to go through the first couple items. I suppose I need an evaluation from you guys on Item IV. We haven't worked real hard on No. IV, that's opening comments from elder. I don't know if I reminded Chuck of that or not, but partially that's my fault. But in other meetings, it's been very helpful to have an elder here to speak. It can be a prayer or that -- are you guys still comfortable with having that, even though we haven't achieved it as well as we

50 could?

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1           Okay, the next one ....

2

3           MR. PHILIP TITUS: Vince, No. IV, it's open, anytime  
4 you want to get up and say something, right?

5

6           MR. MATHEWS: Right. That's another thing we need to  
7 lay out throughout the meeting. We forget that, because we get  
8 dialoguing to ourselves. We have to remember, like let's say  
9 Virgil walked in a half hour from now. He'd think, well, I  
10 can't interrupt them, I mean, they're really going along. How  
11 do I -- you know, I don't want to interrupt them. The tone of  
12 the meeting is set by the chair, and I haven't talked to the  
13 chair on this, but in the past it's been, if someone needs to  
14 talk, raise their hand or get a hold of somebody to do that.  
15 We need to remember that throughout the meetings some people --  
16 you know, it's overpowering to come into a room with all these  
17 tables, and have people see all these mikes, and they see all  
18 the staff here, and they go all, boy, I'm not going to talk.  
19 My sense from talking to each of you members, including the new  
20 members, is that you want to hear the local subsistence users.  
21 You probably want to hear less from staff, in reality. Did you  
22 get that on the record?

23

24           COURT REPORTER: Yes, I did.

25

26           MR. MATHEWS: Okay.

27

28           MR. FLEENER: All in favor?

29

30           (General laughter)

31

32           MR. MATHEWS: All right. Okay, I got that one passed.  
33 So we need to remember -- I'll try to remind the board -- I  
34 mean, the chair and the council, that we need to announce that.  
35 Thinking on that, you'll see that I have on here - and in every  
36 meeting everybody's laughed at it - but where it says scheduled  
37 periods are 11 and 5? We're on a road-connected community  
38 here. A lot of people are working 8 to 5 jobs, and we've had  
39 complaints in the past. They've not pushed them through, you  
40 know, but they've complained to me saying, well, I can't come  
41 all day to testify, you know, wait to testify when you bring up  
42 moose in Unit 12 or something. So that's why they're there.  
43 And that ties you guys into being here at 5:00, obviously.

44

45           Okay, the moment of silence, that started last year, to  
46 explain to the other members. We've continued it within the  
47 program. It's up to you guys if you want to, but we had -- I  
48 can't think of the name of the guy last year. Or the -- it was  
49 actually two years. Well, whatever, it was a couple of

50 meetings ago -- that passed away in a plane accident. This is

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1 a member from Seward Pen that passed away, in your packet.  
2 Craig can quote from it, or whatever. At the end of Tab A is a  
3 little bit about his history. I suppose I should ask, do you  
4 want to continue with that in the future, if we know of a  
5 council member. The Western Interior - Pete was there, too -  
6 it turned into one or two elders in McGrath that had passed  
7 away. And so that's open to Chuck to -- I hope there's none  
8 that have passed away here, but if there is someone that we  
9 need to give respect to in the community, this would be an  
10 opportunity to do that.

11  
12 Okay, the next item -- I'm kind of just going item by  
13 item, but the next one's council member concerns and topics.  
14 That's a real important one for me and for other staff, but  
15 I'll just speak for myself. That's when you guys start laying  
16 out what you think are important topics. And you'll see me  
17 take a lot of notes on that, because then I get a feel of where  
18 you're going, where you want to go, and what issues are before  
19 you. And it also gives a heads-up to the complete staff here  
20 that if, you know, Gerald wants to talk about airboat control  
21 on the Tanana, then staff can start gearing up for that, and  
22 let alone the public. So that's a time where you can explore  
23 ideas without saying, I would like this added to the agenda.

24  
25 MR. MILLER: Hey, Vince, I got some students from the  
26 school coming in.

27  
28 MR. MATHEWS: Oh, okay.

29  
30 MR. MILLER: Maybe we could -- ....

31  
32 MR. MATHEWS: Well, that's the future leaders of  
33 America.

34  
35 MR. MILLER: .... of Dot Lake here.

36  
37 MR. MATHEWS: Yeah, I'll recapture. I used to work  
38 with school groups, so I think I can handle it.

39  
40 (Students enter community hall)

41  
42 MR. MATHEWS: You guys can sit up front, if you want.  
43 We just started, and we'll get you guys up to speed. And if  
44 that's okay with Craig, I'll just bring them up to speed.

45  
46 MR. FLEENER: Sure.

47  
48 MR. MATHEWS: Okay. Let me just -- for the school that  
49 just came in, students I should say, let me recapture where

50 we're at. Okay, where we're at is this is the Eastern Interior

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1 Regional Subsistence Advisory Council. So they're going to  
2 probably introduce themselves. We're going through a work  
3 session. But very quickly, I'll go over where we're at and  
4 then maybe they'll introduce themselves so you have an idea.  
5 But basically, Eastern Interior covers from Arctic Village,  
6 Venetie area, all the way up there, all the way down here  
7 through Northway, and it goes as far west as Tanana, and goes  
8 east to the Canadian border. I do have maps in the back, if  
9 the class needs them. We don't have a lot, but there is a map  
10 back there. These are subsistence leaders that were selected  
11 by the Secretary of Interior and the Secretary of Agriculture  
12 out of Washington, so if you're wondering how you're connected  
13 to Washington, here they are.

14  
15 So the subsistence council meets twice a year. They're  
16 right now going through a work session where we're just kind  
17 of -- kind of like what the teacher does before you have a  
18 large assignment, going through what is -- what potentially  
19 will happen today and tomorrow, kind of going through topics,  
20 trying to get an idea where people may need more information,  
21 or where they want things a little bit differently.

22  
23 I'm Vince Mathews. I'm the Regional Coordinator for  
24 Eastern and Western Interior, and I work for Fish and Wildlife  
25 Service. So I'll let them introduce themselves, and then we'll  
26 go right back into the work session.

27  
28 MR. NICHOLIA: Gerald Nicholia from Tanana.

29  
30 MR. PHILIP TITUS: Philip Titus from Minto.

31  
32 MR. FLEENER: Craig Fleener from Fort Yukon.

33  
34 MR. MILLER: I think you guys all know me, so ....

35  
36 MR. GOOD: And I'm Nat Good from Delta Junction.

37  
38 MR. TRITT: My name's Calvin Tritt. I'm from Venetie,  
39 originally from Arctic Village.

40  
41 MR. MATHEWS: And Pete may want to introduce himself.

42  
43 MR. DeMATTEO: I'm Pete DeMatteo. I'm a biologist. I  
44 work with Vince in the Office of Subsistence Management for the  
45 Fish and Wildlife Service.

46  
47 MR. MATHEWS: And Sharon may want to introduce herself.

48  
49 COURT REPORTER: I'm Sharon Gaunt. I'm a court



50 reporter, just taking things down on tape.

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1 MR. MATHEWS: And then George is behind you.

2

3 MR. MILLER: George is hiding in the back there.

4

5 MR. SHERROD: I'm George Sherrod. I'm an  
6 anthropologist. I work with Pete and Vince.

7

8 MR. MATHEWS: Okay. And then we'll get back into this.  
9 But basically, it's a council, they're advisory, they're set up  
10 by ANILCA. These are terms probably your teacher may have  
11 talked about, Alaska National Interest Lands Conservation Act.  
12 And maybe during a break we can explain more how important that  
13 is to all of this. They have a support team which is made up  
14 of George, the social scientist, anthropologist, Pete, the  
15 biologist, and myself, the coordinator. We do have other staff  
16 here I forgot to introduce. They may want to introduce  
17 themselves.

18

19 (Staff members from audience introduce themselves -  
20 inaudible, away from microphone)

21

22 MR. MATHEWS: Okay. So we're just going to go through  
23 the agenda. You'll get an idea, and we're up to -- we just  
24 talked about how this council usually takes a moment of  
25 silence, or respect, or prayer to a council member that may  
26 have passed away. There's ten councils in the state. One  
27 passed away this past year for Seward Peninsula, which is up in  
28 the Nome area. So we were just talking about that, and that  
29 there'd be an opportunity, if the community wanted respect  
30 given to one of the elders that has passed away in the past  
31 year or two, that's it's an opportunity for them to bring it  
32 up.

33

34 We talked about council member concerns, so that's  
35 where you guys give us an idea what else you want to talk  
36 about. Craig and I will then try to work it in the agenda if  
37 it's appropriate, and so we'll capture those. The next one is  
38 self-explanatory, changes to agenda, agenda approval. You guys  
39 have always done that. Reading and approval of minutes. The  
40 minutes are in there. Real quickly, they're in there under one  
41 of the tabs, Tab B, I believe it is. Where it's grayed --  
42 what's that called? Red-lined? Where it's red-lined are  
43 corrections that were called into me. So I put Timothy Sam in  
44 twice at the last meeting. I forgot to put Chuck Miller in, so  
45 that was just an oversight. But I'll point those out when we  
46 get actually into that section. But you did get copies of  
47 these in the mail, and then you had an opportunity to call back  
48 if there was corrections or additions.

49 On the minutes, I ask you every meeting, are they

50 functioning well? Are they doing the job you guys want? To be

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1 honest with you, I'm under pressure at the office to make them  
2 more - what is it - slender.

3  
4 MR. TOM BOYD: Streamlined.

5  
6 MR. MATHEWS: Streamlined. I got to get all these  
7 politically correct terms down. Streamlined. I look at  
8 minutes a little bit different than others in the office. I  
9 look at them as an historic document, and I look at them, that  
10 if when you go to the next meeting, you could pick up those  
11 minutes, and if you just kind of speed read them, you'll be  
12 right up to speed where you ended the one before. So is the  
13 minute format being possibly 12 pages, 10 to 12 pages, okay  
14 with you?

15  
16 MR. MILLER: I don't see a problem with it.

17  
18 MR. FLEENER: For a two-day meeting, it's not that ....

19  
20 MR. MILLER: Yeah, that's not really that long.

21  
22 MR. FLEENER: That's not very long for a two-day  
23 meeting.

24  
25 MR. MATHEWS: Okay. The next item we have is ....

26  
27 MR. FLEENER: Some of the council members think that  
28 they'd like longer minutes. No, I'm just kidding.

29  
30 MR. MATHEWS: Well, the other thing is, is that if you  
31 guys want copies of the transcripts -- I think Nat wanted them,  
32 or somebody on this -- oh, no, it was ....

33  
34 MR. FLEENER: I did. I always wanted a copy of it.

35  
36 MR. MATHEWS: Yeah. We can get you electronic versions  
37 or paper versions. The paper versions get a little hefty,  
38 though, but that's up to if you want a couple of Fairbanks  
39 phone books.

40  
41 MR. PHILIP TITUS: These are public record, right?

42  
43 MR. MATHEWS: These are public record.

44  
45 MR. PHILIP TITUS: Anybody could request them?

46  
47 MR. MATHEWS: Correct.

48  
49 MR. PHILIP TITUS: Okay, like ....



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1 MR. MATHEWS: And I don't have it with me. Maybe  
2 George can remember. They're on the internet, too.

3  
4 MR. PHILIP TITUS: Like if the local community wanted  
5 to review the minutes before the meeting, they could request  
6 that ....

7  
8 MR. MATHEWS: Oh, back to the minutes. Yeah, what I do  
9 with the minutes is they're sent to -- I don't have the full  
10 list here. All tribal councils, village councils, agencies,  
11 representatives on all the advisory committees, all the state  
12 agencies, all the federal agencies within Eastern Interior get  
13 a copy of the minutes ahead of time. And I know most of them  
14 don't read them, but sometimes, you know -- like Healy Lake, if  
15 their issue is still as important to them, probably looked at  
16 those minutes. So if it's issue driven, that they look at  
17 them. I don't think -- I hope someone doesn't sit down and  
18 read them just to read them. But they're usually more issue  
19 drive. So yes, they're given all a copy; that the transcripts  
20 are on the internet, and we can get them disk copies or paper  
21 copies. But realize the transcripts that some of you have  
22 looked at are a wealth of information, but it's hard to find  
23 things in them unless you sit down and go page by page, or you  
24 search by computer.

25  
26 Okay. This meeting, in the fall every year you have  
27 officer elections. So you have three offices, chair, vice  
28 chair, and secretary. They serve for one year. The next  
29 item -- remember, this agenda was done in August, so things  
30 have changed. We don't have - unless I missed something, and  
31 Hollis can correct me - but we don't have any appointments to  
32 Subsistence Resource Commission, because you appointed Paul  
33 Starr to Denali Subsistence Resource Commission, and for  
34 Wrangell-St. Elias, you appointed Frank Entsminger. So I don't  
35 think we have any pending appointments on commissions.  
36 Cooperative management groups, you might, by the end of the  
37 meeting, have a management group, so I don't know.  
38 Subcommittees, depending on how the elections go, there may be  
39 some changes there.

40  
41 Okay. The agenda this year changed from old business,  
42 new business, to the informational items, to action items. And  
43 we'll evaluate if that's any better, or just using different  
44 terms. The next one is kind of reports. The chair attends a  
45 lot of meetings throughout the year. He attended the Federal  
46 Subsistence Board Meeting. You were involved in a couple of  
47 teleconferences, right, on training materials? And on  
48 something else, I can't remember. So this is an opportunity  
49 for him to share the material. Now, the items that are

50 underneath No. 2 there, joint chairs, Federal Subsistence Board

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1 meeting, those they'll be other staff to assist Craig with. So  
2 the first item is status of regional council Member  
3 compensation. Assuming Tom gets here from Fairbanks, he'll be  
4 talking about that. That's compensation for time lost from  
5 work. It's not per diem or travel, this is additional. The  
6 next one is alternates for restructuring the Subsistence Board.  
7 That will be laid out for you. On that, they're going to lay  
8 out three alternatives. You can come up with another one, if  
9 you so desire.

10

11 MR. FLEENER: Who's they?

12

13 MR. MATHEWS: That'll be Tom will be doing that also,  
14 at least that's how it was in McGrath. We'll see when they  
15 arrive here who will be presenting that. And for the students,  
16 I suppose I should go over the board real quickly. This is an  
17 advisory council, so they are the first line of information.  
18 If you have information coming in from all users, and you start  
19 narrowing it down, this is the first advisory group that takes  
20 that information and passes a recommendation. That goes on to  
21 the Federal Subsistence Board, which is like the Board of Game,  
22 but it's made up differently. The Federal Subsistence Board  
23 has the directors for National Park Service, Bureau of Land  
24 Management, Bureau of Indian Affairs, Fish and Wildlife  
25 Service, Forest Service, and then the chair is appointed by the  
26 Secretary of the Interior, who happens to be an Interior  
27 subsistence user, which is Mitch Demientieff. So their  
28 recommendations go to the board. The chair goes to the board  
29 and presents those recommendations. So they meet - which is  
30 different than the state system, they meet all ten chairs,  
31 there's ten regions - and the full board meet in executive  
32 session before they start the public meeting or the board  
33 meeting in April. So there they basically sit down and roll up  
34 their sleeves and talk about what statewide issues there are.  
35 And out of that came all these items underneath here, which  
36 were compensation, restructuring the board.

37

38 The next item, I'm not sure if Ely, Tom Ely is going to  
39 present that, or if someone else is. It's called memorandum of  
40 agreement. It's with the Alaska Department of Fish and Game.  
41 You're going to have a draft kind of copy of it - actually,  
42 it's a draft briefing of it - saying your input on setting up  
43 this particular memorandum of agreement with Fish and Game.  
44 And basically they want to improve coordination and  
45 communication between the federal and state program, and you  
46 can comment on that. And you'll probably get a final of it at  
47 the next meeting, is my understanding.

48

49 For the students, if you haven't been reading the



50 paper, there's two management systems in effect in Alaska.

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1 There's federal management and there's state management, as far  
2 as in the subsistence arena. So all the maps that you see  
3 around you, all the lands that have color on them, this board  
4 advises, or this council advises on. All the lands depicted on  
5 there that are white, they're under state jurisdiction for  
6 subsistence. They're either private lands or Native  
7 corporation lands. So we have a matrix of management. And the  
8 state has approached this program and said we want to improve  
9 coordination and communication so we can streamline and save  
10 money, et cetera. Any questions on that from the council, on  
11 the MOA?

12  
13 Okay, the next item is consent agenda. I kind of  
14 jumped the gun here. That'll be a topic that'll be more before  
15 you at the next meeting. Basically, the board wants to  
16 streamline its time, so if it sees that your recommendation,  
17 staff committee recommendation - that's about it - and possibly  
18 in general everyone else, is in alignment, they want to take  
19 all those items and put them together in one item, and then  
20 pass that as one package. Okay? And basically it's called a  
21 consent agenda.

22  
23 MR. MILLER: I was just looking through the agenda  
24 here, and I was wondering, that co-management thing we've been  
25 working on?

26  
27 MR. MATHEWS: Yeah, that needs to be added. It's not  
28 on there.

29  
30 MR. MILLER: Okay.

31  
32 MR. FLEENER: Would we put that under F?

33  
34 MR. MATHEWS: Yeah, we could put it under F, I think.  
35 You mean after the briefing on the governor's task force,  
36 or ....

37  
38 MR. FLEENER: No, under the small letter (f) under the  
39 chair's report.

40  
41 MR. MATHEWS: Oh, okay. Okay, for those that are new  
42 to the council, we had a subcommittee formed from Tanana called  
43 the Co-management Subcommittee, which was made up of Craig  
44 Fleener, Chuck Miller, and Nat Good and myself, and that  
45 subcommittee drafted a concept of what they considered  
46 co-management, which will be back before the full council for  
47 you to look at it, approve, whatever.

48  
49 MR. FLEENER: And I notice we don't have any copies in

50 our ....

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1 MR. MATHEWS: No, you have it in your -- this thing.

2

3 MR. FLEENER: Oh, in this supplemental?

4

5 MR. MATHEWS: It should be green. I try to color code  
6 them so it's easier to find. Okay. And then we'll ....

7

8 MR. FLEENER: This is the one that Steve wanted us to  
9 do up here. Remember last meeting in Tanana, Steve suggested  
10 that we get together a committee made up of council members,  
11 and discuss co-management and come up with some sort of a  
12 definition of co-management, and that's where that came from.  
13 So this is just something that Nat, Chuck and I worked on, put  
14 together, and of course Vince laid out the hard copy and we  
15 went and worked on it from there. Then we had a  
16 teleconference, went over the meat of it, made some changes.  
17 And this is still open for change if you guys have suggestions,  
18 that's why we're bringing it before this group now. And what  
19 we put down, it's a lot harder for just three guys to work on  
20 something as broad as co-management, so you guys feel free to  
21 make suggestions.

22

23 MR. MATHEWS: And then if you adopted that concept,  
24 it's possible you want to apply it to some areas. Where was I  
25 at?

26

27 MR. FLEENER: Consent agenda.

28

29 MR. MATHEWS: Consent agenda. So we'll talk more about  
30 that at the next meeting. The thing I want to caution you on  
31 the consent agenda, is whoever goes down to the board meeting,  
32 either the chair or the representative, and they see something  
33 on the consent agenda, it'll be talked about with all, that you  
34 don't want on that consent agenda, then you got to say, no, I  
35 don't want that, because if it's on the consent agenda, there's  
36 no discussion. It just -- you know, they -- someone makes a  
37 motion that I -- we move to adopt all items on the consent  
38 agenda, someone seconds it, then they vote on it. So if you  
39 don't stop it, or you don't pull it off of that, then it just  
40 goes ahead. But there'll be more laid out on that. There  
41 could be some questions by others, so we'll have to see ....

42

43 MR. FLEENER: That's usually not a big concern. If we  
44 pass something, and we support it here, and we know that the  
45 board is going to support it, and Fish and Wildlife Service  
46 supports it, Fish and Game supports it, you know, unless we  
47 discover that there's something that we really overlooked, that  
48 we might want to pull something -- we might want to pull one of  
49 the items off a proposal or something, but for the most part,

50 there's not really much of a problem. And if you want to taken

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1 off, just right before they -- right before they say they want  
2 to approve the consent agenda, you just request it; have your  
3 Proposal 97.17 withdrawn, or whatever. It's pretty simple.

4  
5 MR. MATHEWS: Okay. The next thing is the board  
6 meeting, but that'll come up throughout the whole meeting. The  
7 next one is, you should have gotten these in the mail, this  
8 gray book and yellow book. This is what Craig and -- boy,  
9 there was a whole bunch of people involved in this. Bill  
10 Thomas, right?

11  
12 MR. FLEENER: Yeah.

13  
14 MR. MATHEWS: Somebody from YK. Anyway, there was  
15 three or four regional council representatives involved with  
16 staff in drafting up this manual for you to use. If you have  
17 any comments about it, when that comes up, bring them up, as  
18 far as improving it, or changing it, or adding, or something to  
19 that effect. What you'll end up with by next meeting, assuming  
20 all the wheels turn and all the staff is available, you'll end  
21 up with a manual like this, but bigger, because you're going to  
22 have materials that are specific to your area. Okay. And for  
23 the students and for those that may not have had a chance to  
24 look at it, this is set up in the question/answer format, so if  
25 you're wondering, well, how do I really change regulations, you  
26 go to Section 4 - and if I can't find it quick enough here -  
27 and you go ....

28  
29 MR. FLEENER: Does everybody ....

30  
31 MR. MATHEWS: And you're wondering, well, how long do  
32 these regulations stay in effect? There's a questionnaire and  
33 it tells you, so it gives you a quick paragraph.

34  
35 MR. FLEENER: Did everybody here get a copy of this?

36  
37 MR. MILLER: Yeah.

38  
39 MR. FLEENER: You guys got a copy? If not, I've  
40 got ....

41  
42 MR. MATHEWS: Did you get a copy, Philip?

43  
44 MR. FLEENER: If not, I've got my copies if you  
45 guys ....

46  
47 MR. MATHEWS: I have extra copies.

48  
49 MR. FLEENER: This would be good to take a look at,

50 because this is also going to be used as a training manual for

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1 new council members.

2

3 MR. MATHEWS: I used it somewhat with Gerald and  
4 Calvin. I kind of broke away from it, but it was very helpful  
5 when questions came up, then we looked in the book and found  
6 it; found the answer, I mean.

7

8 MR. FLEENER: Yeah. So it's going to be used as a  
9 training manual, so if you guys have -- if you see something  
10 that you wish you would have known when you first became a  
11 council member, look in here, and if it's not in there, make a  
12 suggestion to have it added, because anything we can do is  
13 better than what we have done. So I guess Vince is one of the  
14 only ones that's gone through and had an actual in-depth  
15 training with a lot of council members, aren't you?

16

17 MR. MATHEWS: Yeah. I mean, ....

18

19 MR. FLEENER: And so a lot of the other areas haven't  
20 done that as in-depth as ....

21

22 MR. MATHEWS: Well, we're the only region that had  
23 people brought in.

24

25 MR. FLEENER: Right, so ....

26

27 MR. MATHEWS: We were able to do that because Fairbanks  
28 is a hub, and kept the cost down. Western Interior, we did it  
29 before the meeting, and I question how effective that is. But  
30 again, we're working on it. Other regions do it either the  
31 night before the meeting. I personally would rather meet with  
32 them one on one. And the way we set it up -- and again, if we  
33 do it next year and a member from -- that's been on the council  
34 that wants to come in to do it, that's fine, but in the morning  
35 we go through all the background material. In the afternoon,  
36 we meet with the different managers. This year, due to  
37 scheduling conflicts and the lateness of pulling it off, we  
38 didn't have a lot of management staff show up. But it's a time  
39 to test the water with, you know, a refuge manager or park  
40 representative saying, well, we're thinking about this, what do  
41 you feel about it? But it's more a time to go face to face, so  
42 we got a green light to do that, and I think it's -- well, you  
43 can ask the new members how effective it was.

44

45 MR. FLEENER: And one of the things I suggested, too,  
46 is that if it's possible, and I guess it's not possible yet,  
47 but that we take an existing council member in the training and  
48 actually talk to the new members. Because Vince can give one  
49 perspective, and you can go around and shake hands with all the



50 guys in the suits, but it's not the same thing as talking to

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1 someone that's actually a board member or a council member, and  
2 having a little bit of dialog, asking questions, and giving an  
3 overview of the issues that are taking place and what's at the  
4 heart of the people in the various meetings that we've had in  
5 the past. So that's something that I thought would be pretty  
6 important, is having a person go to the meeting. We weren't  
7 able to do it this time, but I called in and teleconferenced  
8 with them. And what we were able to do, is I told them some of  
9 our concerns, which the two new guys had already been at the  
10 last meeting anyway, so they were there and they knew. But if  
11 it was two other people that hadn't been there, you know, we  
12 would talk about some of our concerns and then listen to some  
13 of their concerns, just so we get a feel of working together  
14 already. And so I thought it was pretty successful.

15  
16 MR. MATHEWS: And we're going to be doing a training  
17 video, but when that will be produced, I'm not sure. But there  
18 will be a training video that you could take back home, or if  
19 you knew of somebody that was kind of interested in this  
20 program but wasn't real sure what it all involved, then we  
21 would mail them, send them, give them a training video so they  
22 could watch it at home. It's been funded, I just don't know  
23 where the schedule is. When Tom gets here, we'd know better.  
24 We're going through some staffing changes, so a lot of the  
25 schedules are somewhat up in the air. Okay, well, that will be  
26 something that you'll talk about when we get to that section is  
27 this, if you have comments, otherwise, we'll hear from you  
28 individually.

29  
30 New member welcome and introduction is kind of out of  
31 place there. We probably will already have done that earlier,  
32 but that's here. This section here is just if like -- I'm  
33 trying to think now. Well, Calvin may -- I don't know, maybe  
34 it won't, but they just had a fairly significant meeting in  
35 their community. He may want to share information on that.  
36 Craig has been to different meetings. This is a time for you  
37 to share what you've learned or discovered by attending other  
38 events within the region, so that's what that C is there for,  
39 is to make sure that you have an opportunity to share what  
40 you've done.

41  
42 And then we'll just kind of move along. Correspondence  
43 sent and received. We've done that two different ways here.  
44 We've let you look at them and then go through them, or I can  
45 summarize them for the record. It's up to you. The question  
46 on that, which I'll ask you when we get to it, or get an answer  
47 when we get to it is, do you like getting it at the meeting, or  
48 do you want it mailed the minute they're done and then get, you  
49 know, eight, nine mailings, or do you want to wait? The chair

50 gets a copy of all the stuff when it comes in, or it's done,

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1 immediately. I don't usually copy all the members, because a  
2 lot of the stuff is -- there's no reason to act immediately.  
3 There's more information. So think about that and give me an  
4 answer when we get to that. Because I can mail it out  
5 separately, I just don't know how effective it is to get, you  
6 know, eight different mailings throughout the eight months  
7 there, six months, whatever it is.

8  
9 MR. FLEENER: Do you mail the other council members  
10 anything?

11  
12 MR. MATHEWS: Yeah. If it's a topic that's important  
13 to the council, then I do. And then if you give me direction,  
14 or the chair gives me direction, then I do. There's some stuff  
15 that the office does. We have to improve our communication  
16 between Anchorage and Fairbanks, but there's stuff that they  
17 send out that I'm not always aware of that you'll get in the  
18 mail, also. I think Philip had a question, or somebody.

19  
20 MR. PHILIP TITUS: I don't see why we should get a  
21 bunch of mail over eight months, when we could pick it up all  
22 at one time.

23  
24 MR. MATHEWS: Okay.

25  
26 MR. PHILIP TITUS: Unless it's all -- I mean, ....

27  
28 MR. MATHEWS: Well, I will consult with the chair in  
29 that to find out if he, whoever it is, may want that stuff sent  
30 out earlier, you know. It may be something -- example, I don't  
31 know what I did in your region, but I know in Western, the wolf  
32 trapping, or trapping -- excuse me, trapping on refuges was a  
33 very important topic. They got letters of response from both  
34 senators, so that was mailed out immediately to them because of  
35 the position they took on that issue. But in general, they had  
36 other letters on other things that we waited until this  
37 meeting, or their recent meeting, to present. Okay, ....

38  
39 MR. MILLER: Excuse me, Vince, do you have copies of  
40 the agenda, extra copies? I think that maybe ....

41  
42 MR. MATHEWS: Yeah, they're in the back on the table.

43  
44 MR. MILLER: .... if you guys want to look through the  
45 agenda to see certain items that you guys had interest in?

46  
47 MR. MATHEWS: If you want to go back and pick one up,  
48 then I can slug down some more coffee. It's up to you, because  
49 we're just walking through it. It's kind of a complex agenda,

50 to be hones with you.

0016

1 MR. FLEENER: If you kids have anything you want to  
2 talk about, issues that are important to you guys, you know,  
3 this is an open forum. Don't feel ashamed to come up and speak  
4 your mind on any kind of a subsistence issue that you know is  
5 important to you, or is important to your family. So if you  
6 guys think that there's anything you want to talk about, or  
7 even just give your opinion and not even ask a question, you  
8 feel free to do that. When other people start coming in,  
9 they'll be doing the same thing, so feel free to come up to the  
10 microphone anytime you want to. Okay?

11  
12 MR. MATHEWS: Okay. The next topic - and we're on the  
13 back of the page, for those who just got the agenda - I believe  
14 Bill will be presenting, like he did in Tanana, an update on  
15 the expansion of federal subsistence fisheries. It won't be a  
16 lengthy presentation, but anyway, that will come up. If you  
17 have questions about that, I encourage you to ask Bill. Bill  
18 will be -- or is our Regulations Specialist. His title has  
19 changed, but that's what I know him as. And then Tom Boyd will  
20 be here. He's the one that oversees the entire subsistence  
21 program, so hopefully they will be here. I know they left  
22 about two hours ago. If you have questions, those are the ones  
23 that are in the meetings figuring this stuff out.

24  
25 The next item there is a briefing on the State of  
26 Alaska Governor's Task Force. That's on your agenda. I don't  
27 know if the governor will send a representative here or not.  
28 In general, the Alaska Department of Fish and Game employees  
29 don't discuss this.

30  
31 MR. FLEENER: Did we ask for a representative from the  
32 governor's office?

33  
34 MR. MATHEWS: I asked indirectly on it, and no, there  
35 was no direct communication to the governor's office. You have  
36 in your book the July version of it, and then in your yellow  
37 folder -- excuse me, yeah. It's the other way around, isn't  
38 it? Oh, I know what it is. You have the July version in the  
39 book. In here you have the September 23rd version of the  
40 Governor's Task Force. This is a state initiative. It's a  
41 state proposal. I just felt it was important that it would  
42 be -- you be exposed to it, and you have your opportunity  
43 through your elected representatives, or whatever, to deal with  
44 it.

45  
46 MR. PHILIP TITUS: That comment Stevens made to the  
47 legislature about this being an upcoming election year, and he  
48 sort of challenged them about subsistence, does that have any  
49 bearing on the coming session?



0017

1 MR. MATHEWS: Well, you mean Stevens was suggesting  
2 that the Alaska electorate, if this legislature cannot pass a  
3 solution to subsistence, maybe they ought to vote somebody else  
4 in, is that the statement you're going with?

5  
6 MR. PHILIP TITUS: Yeah. I mean, ....

7  
8 MR. MATHEWS: Yeah. I can't speak for Senator Stevens,  
9 but that's a way of putting pressure on the legislature to take  
10 some action.

11  
12 MR. MILLER: Excuse me, Vince. Do you guys by chance  
13 have copies of the proposal that AFN and AITC came up with in  
14 August?

15  
16 MR. MATHEWS: Yes, we do.

17  
18 MR. MILLER: I didn't see one in the packet. I was  
19 just wondering if ....

20  
21 MR. MATHEWS: I don't have the other one. It's this  
22 big thing here, and then there ....

23  
24 MR. FLEENER: Oh, is that the big thing?

25  
26 MR. MILLER: No, they had a ....

27  
28 MR. MATHEWS: There should be a packet on top of it. I  
29 don't have an example of it. Okay. And Steven Ginnis -- well,  
30 many of you attended the AFN summit, so I shouldn't just focus  
31 on him. It's in here, the 12 points somewhere, that would be  
32 part of the -- 12 principles, excuse me. They have been ....

33  
34 MR. MILLER: They came up with a draft plan there at  
35 that subsistence summit. That's the one I was talking about.

36  
37 MR. MATHEWS: I don't have that other copy, so maybe  
38 someone else does. I don't know if it's in -- there's one  
39 that's on normal size paper that went on top of it, so it would  
40 have been a fairly large -- if not, we'll have to look it up.  
41 On that topic, just so you know, not that we're ducking it,  
42 there's no staff capable to speak on all those. That would  
43 have to come internally.

44  
45 MR. FLEENER: Steve can address it, since he's the  
46 chair of AITC. And you can be sure he probably will, so ....

47  
48 MR. MATHEWS: I would hope he would. The other member  
49 that the students -- he's in transit here -- is Steven Ginnis



50 from Fort Yukon. He's the president? Is that the title?

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1 MR. FLEENER: Chairman.

2

3 MR. PHILIP TITUS: The chair.

4

5 MR. MATHEWS: Chairman of the Alaska Intertribal  
6 Council. So he'll be here, and he can talk about his -- he was  
7 in Washington, et cetera, so hopefully he'll share that  
8 information.

9

10 MR. FLEENER: We could probably ask him to give us a  
11 report under "other member reports" for AITC.

12

13 MR. MATHEWS: Okay. Then that brings us up to agency  
14 reports. This time we've switched some things around. It was  
15 a request to do that. So you'll see that there's a separate  
16 line for Native corporations, which was pulled out of the  
17 original agenda, which was under other agencies. So anyway,  
18 this is the time for any of the agencies to come up and talk to  
19 you about subsistence related issues. This is comparable to  
20 where I told you earlier about member concerns. This is where  
21 the agency, if they want to, may float out an idea to you to  
22 see how you react to it; do you support it, do you not. This  
23 is the time when you can ask them different questions,  
24 et cetera, on it. You are in control of how long they present,  
25 if that becomes a problem; the chair is. So you can, you know,  
26 limit them if it tends to get way off track or something.  
27 We've not had that problem. But you can see down there, for  
28 like, let's do National Park Service. I put down there  
29 statewide, because I'm not sure anybody's coming from the  
30 Anchorage staff, but sometimes they bring up a statewide issue.  
31 Denali's here. Hollis is here for Denali. Wrangell-St. Elias,  
32 I believe Jay Wells is going to be here. I'm not sure on that.  
33 And then Yukon-Charley.

34

35 Okay. Bureau of Land Management, the same thing. I  
36 know Ruth Gronquist is the biologist for the -- one of the  
37 biologists, excuse me, for Northern District. She'll be here.  
38 Fish and Wildlife Service, they'll be -- it doesn't look like  
39 it now, but there'll be quite a few here in a few hours. So  
40 anyway, you get an idea. And then you see underneath there was  
41 added Fish and Wildlife Service report on animal trapping and  
42 refuges. Tom Ely will be presenting that. And you have a copy  
43 of the report that was presented to Congress. Fish and Game,  
44 according to what I've heard, they're going to have quite a bit  
45 of staff here, but I don't see them yet, so I don't know how to  
46 interpret that. And the Wildlife Notebook, Pete can cover that  
47 now, but he'll have to cover it when it comes up on the agenda  
48 again because we'll have people coming in at different times.  
49 Do you want to tell them about the notebook?



0019

1 MR. DeMATTEO: Mr. Chair, as we mentioned at the  
2 previous meeting, that the staff is in the process of drafting  
3 a Wildlife Management Handbook, as it's called. And the  
4 handbook is simply divided into chapters, and each chapter will  
5 be devoted to one particular big game species; like say, black  
6 bear, for instance. And it will give a brief description of  
7 the natural history, and life habits, and feeding habits, and  
8 home ranges, and all that good stuff of, say, the black bear.  
9 And then it'll go into a brief description of the animal, as  
10 far as characteristics like size, length, weight, and all that  
11 wonderful stuff. And any other information that should be  
12 pertinent. The purpose of the book is just merely a reference  
13 for your own use, that's all it is, to help supplement  
14 council's knowledge as we come to meeting here. Sometimes  
15 these meetings, biologists get up and give these wonderful  
16 presentations, and there's never enough time to give a full  
17 presentation which would explain everything. They're so  
18 abbreviated in this short time period. And it's not meant to  
19 take the place of traditional knowledge, it's just strictly a  
20 supplement reference for your own use.

21  
22 MR. FLEENER: Weren't there supposed to be included in  
23 there some management strategies? Or for instance, ....

24  
25 MR. DeMATTEO: Correct. Yeah. Very good. That's the  
26 other thing that would be in each chapter, is management  
27 strategies, surveying and inventory techniques that are used,  
28 how data is compiled, what the data is used for. Correct.

29  
30 MR. MATHEWS: And this would be for like classes and et  
31 cetera, would be a little bit above their head, but it would be  
32 excellent material for classes if you were doing understanding  
33 of moose for your area. Wasn't there going to be added to it  
34 some population statuses over time, or something to that  
35 effect?

36  
37 MR. DeMATTEO: Well, correct. It's meant to be sort of  
38 a living document, and we'll make improvements upon it and add  
39 additional knowledge as time goes by. There will also be  
40 another chapter which would be a glossary of definitions  
41 somewhere in the back. Yeah, it's not going to be carved in  
42 stone. It's something that'll change as time goes by.

43  
44 MR. MATHEWS: So for like students and council members,  
45 if - I assume this will be in there - if they start talking  
46 about natural and healthy populations versus healthy  
47 populations versus sustained yield, you'll have definitions  
48 somewhat in there that you can help both the staff and yourself  
49 understand what standards are being applied and what those

50 mean. But again, it's mainly a reference document.

0020

1 MR. DeMATTEO: It's my understanding that you will have  
2 a draft in front of you at the winter meeting for your review.

3  
4 MR. MATHEWS: And then we'll go over this when the  
5 whole meeting's in session. Okay, then we go up to the action  
6 items, which we would start tomorrow morning, or maybe sooner.  
7 But annual reports, your annual report is in there under one of  
8 the tabs. That's required by ANILCA. Well, I've got to  
9 correct myself. It's an option under ANILCA to do an annual  
10 report, it's not a requirement. And in there there's four  
11 factors, and I'll go over them. And you've submitted annual  
12 reports since 1993. The board now has a process to deal with  
13 it, and we'll go over that. At the fall meeting, ....

14  
15 MR. FLEENER: Has the board been caught up with all  
16 their backed up annual report?

17  
18 MR. MATHEWS: They're caught up with the issues, as far  
19 as responding to them. So we now have a process where, this  
20 meeting you're going to draft up some ideas. Whoever's on the  
21 review committee, we flush them out before the next meeting.  
22 The next meeting they come back before you, and you approve the  
23 annual report. That then is analyzed and presented to the  
24 board in June. The board responds to it, and you get a reply  
25 probably in August; July, August. Then you start your process  
26 over again. The annual report is to me a very powerful part of  
27 ANILCA, but even if you don't agree with that part of it, is  
28 the power of the annual report is you can address topics that  
29 cannot be addressed by regulation change. There may be  
30 something that just cannot be addressed by regulation. There's  
31 a lot of stuff that can't be. This would be an opportunity to  
32 get the board to position itself, support, or give you a  
33 response on it.

34  
35 The next thing is, the chair asked for this, and I'll  
36 try to maybe get George up here on it. Again, he's not going  
37 to go through the whole presentation. But the next item is  
38 customary and traditional use determinations, pros and cons  
39 discussion. And maybe he'll give you an idea how he's going to  
40 present it. He's not going to present it now, because we're  
41 not into the actual meeting. Did you want to do that, George?

42  
43 MR. SHERROD: (Inaudible - away from microphone)

44  
45 MR. FLEENER: Please step up to the microphone and  
46 state your name.

47  
48 (General laughter)

49

MR. MATHEWS: I didn't really brief George or Pete on

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1 how we're going to do this work session, so they're going to be  
2 kind of dancing ....

3

4 MR. SHERROD: Yeah, Vince is picking on me. George  
5 Sherrod. I wasn't prepared to do anything at this moment. I  
6 think it'd be more productive to take it up in one block,  
7 rather than split it.

8

9 MR. FLEENER: Well, that was the intention, yeah, I  
10 guess that since we were just doing an overview of what was  
11 going on. Is that what you were looking for, an overview of  
12 what he's going to discuss?

13

14 MR. MATHEWS: Yeah, so people would know that when we  
15 get to this topic item, this might happen, ....

16

17 MR. SHERROD: Okay. Well, I ....

18

19 MR. MATHEWS: .... but he's not going to go through the  
20 details.

21

22 MR. SHERROD: I have brought some material. I brought  
23 some history that the state wrote up. As you know, that our  
24 eight criteria, or eight factors, were modeled after the  
25 original eight criteria that the state brought up. So I  
26 brought some material that they brought up that sort of  
27 explains what they were thinking of when they developed the  
28 concept of customary and traditional determinations, what the  
29 goal was. And I brought some material that I drafted up  
30 earlier. I guess it was last year when we had talked about  
31 changing the manner in which we did customary and traditional  
32 use determination, and that's in subparts A and B, right?

33

34 MR. MATHEWS: Yeah, B.

35

36 MR. SHERROD: Which we didn't open up for review  
37 because of taking on fish and the problems associated with  
38 that. But I have some material there, so I can provide  
39 somewhat of a history of C&T. I can also provide my opinion of  
40 what C&T is, which is not exactly -- there's varying views as  
41 to why there is C&T and what C&T is, but we should take that up  
42 tomorrow?

43

44 MR. MATHEWS: Yeah, it's probably going to be tomorrow,  
45 and ....

46

47 MR. SHERROD: Okay. If you'd like, before the end of  
48 the day, I can hand out the documents I've got so you guys can  
49 look them over this evening and come up with some easy



50 questions for me to try and answer.

0022

1 MR. MATHEWS: Gerald and Calvin met with George and I,  
2 so we've kind of gone over the history of C&T with this  
3 council. Just to remind the other members, you've taken a  
4 stand on C&T's that are in your annual report, so this is a  
5 wide open session for you to ask any of the questions about  
6 C&T. That's why the chair, I believe, wanted this on here. So  
7 you're looking beyond what's on the printed page, is basically  
8 what I'm encouraging you to do.

9  
10 MR. FLEENER: Thanks, George.

11  
12 MR. SHERROD: Thank you.

13  
14 MR. MATHEWS: Then we get into the actual review of  
15 what the board's done on that, and I don't need to go through  
16 that here. For the students, I'm constantly giving you a  
17 comparison to the state system, because if you've been involved  
18 in this, you may be a little bit more familiar with the state  
19 system. It's a requirement of ANILCA that this council get a  
20 written response from the board as to why their recommendation  
21 was not adopted. That may sound like a paper chase, but that's  
22 extremely important. It's the basis of education, is if you  
23 don't know what you're doing right or wrong, you can't improve.  
24 So this is a written response, and that's kind of what we'll  
25 cover in this section, as to what did the board do when they  
26 took up Proposal 72. And that way, they can learn from what  
27 the board did how to improve in the future, or take action to  
28 maybe help the board change its mind on future proposals.

29  
30 That's pretty much that whole Section C there under XI.  
31 There's one thing you've added on there, and -- oh, go ahead,  
32 Craig.

33  
34 MR. FLEENER: I was just going to ask, does the Dall  
35 River fishing issue stay -- Fishery Proposal 193, do we have a  
36 copy of that proposal?

37  
38 MR. MATHEWS: Yeah, you have it in your yellow thing.  
39 That's what I was going to talk about. If the students are  
40 here, or when that comes up, you're going to hear me go on  
41 record saying that this council does not have jurisdiction over  
42 fisheries. They're free to comment on it, but there's nothing  
43 that the Federal Subsistence Board can do with fisheries at  
44 this time. So then they can go ahead and deal with that.  
45 There'll be state people here. They're free to discuss, if  
46 they want to, the issue; they've done it in the past. So  
47 actually, if the students -- well, anyway, it's a good time to  
48 target coming here for action, would be at that time, under  
49 that C Section where they actually grapple with proposals.



0023

1 MR. PHILIP TITUS: Vince, is there any spawning grounds  
2 in our jurisdiction, or we just totally don't have no ....

3  
4 MR. MATHEWS: I'd have to look at the records and see  
5 in the book. I think there's some very, very small ones. What  
6 he's getting at, is where do we have jurisdiction under the  
7 existing program? And there are some areas that were  
8 pre-statehood federal lands that would fall underneath this  
9 program. Anything that came in after federal -- after  
10 statehood, and definitely part of ANILCA, we do not have  
11 jurisdiction. What does that mean to the students and others?  
12 You have Denali -- well, let's just use Denali. You have  
13 Denali National Park. You have the Toklat River coming out of  
14 Denali National Park. For subsistence management in the  
15 preserve there, we manage up to where the willows grow along  
16 the Toklat River, and from between the willows to willows,  
17 where the water is, that's managed for subsistence by the state  
18 government. So that's -- it adds another complexity, because I  
19 hope the students realize that the fish don't read maps, the  
20 caribou don't attend meetings, and the moose just hold out;  
21 they just never cooperate. So the wildlife does not know  
22 jurisdiction. It's us, what geopolitical actions define areas.  
23 So what does that mean? On certain colored areas up there,  
24 they have a different season than where the white areas are.  
25 In certain -- in the colored areas, certain people qualify to  
26 hunt there and others don't. That's where it affects you guys  
27 somewhat for Dot Lake. There's not a lot of federal land  
28 around Dot Lake.

29  
30 MR. MILLER: Hey Vince, that's kind of a different  
31 outlook on it. Like when they do a C&T, they do by species,  
32 but yet when you govern -- or when they manage the area, they  
33 manage by area. I mean, there's a conflict there. Why not  
34 manage, you know, the whole thing by area, all species?

35  
36 MR. MATHEWS: Well, that's ....

37  
38 MR. MILLER: I mean, it's an argument that keeps coming  
39 up. That's just something I ....

40  
41 MR. MATHEWS: That's where you're going to discuss  
42 that. That's the position of the regional council, which  
43 you'll have to help Calvin and Gerald, because I did portray  
44 that to them, and I don't know if Craig was on line when we  
45 portrayed that.

46  
47 MR. FLEENER: We talked about C&T for quite a ....

48  
49 MR. MATHEWS: Well, for the students, what he's talking

50 about sounds like he's saying the same thing, but he's really

0024

1 not. There are major differences there. In our regulations  
2 book - which I don't have one here, there's a blue one back  
3 there - we do customary and traditional determinations, who  
4 qualifies by species. What he's saying, is it would be by  
5 area. And this council has made a stand that somewhat has  
6 slowed the board down in its tracks. Hasn't stopped them, I  
7 don't want to mislead them, so he's saying, well, we manage by  
8 area. Generally, your parks, your refuges - BLM lands, Bureau  
9 of Land Management somewhat - but parks and refuges, they go  
10 drainage to drainage, so it's by area. But we're setting up  
11 our management regimes as to who qualifies by species. Now,  
12 not to lose the students, that means you can have one circle  
13 drawn for black bear, another circle drawn for moose. And what  
14 they're saying is this area -- they'll define it more tomorrow,  
15 but they're saying, let's just define the customary and  
16 traditional use area. Any species that's in that area would be  
17 considered customary and traditional. Something I know your  
18 teacher's probably discussed, lines on the map are very  
19 powerful, and sometimes it's good to have them on the map, and  
20 sometimes it's not. And that's up to this council to figure  
21 out.

22  
23 MR. PHILIP TITUS: That line on the map will dictate if  
24 you eat or not.

25  
26 MR. MATHEWS: What now?

27  
28 MR. PHILIP TITUS: The line on the map will dictate if  
29 you eat or not.

30  
31 MR. MATHEWS: Yeah.

32  
33 MR. PHILIP TITUS: As opposed to species. We could go  
34 out and hunt, and then if they cross the line, you could go get  
35 them. But the lines that -- you're an outlaw if you cross the  
36 line.

37  
38 MR. MATHEWS: Well, in the meeting we had with Western  
39 Interior, McGrath, one of the council members got jokingly  
40 quite worked up about the width of the line took up his whole  
41 community, and took up a whole bunch of other stuff. So it's  
42 something students need to know about lines on maps. Because  
43 we have some areas in this region - I don't know if they'll  
44 come up this meeting - where the line goes right through the  
45 middle of the village. So technically, if you're on that side  
46 of the street, you hunt on a certain season, and that side, you  
47 hunt on another season.

48  
49 MR. FLEENER: Circle is that way.



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1 MR. MATHEWS: Yeah, Circle is that way, as an example.  
2 Well, anyway, so that's -- where that is, that's past actions.  
3 We'll be going over requests for reconsiderations. Hopefully,  
4 Tom will be bringing a current status of those. That's where,  
5 for the more seasoned members, that's where the board has taken  
6 an action in April. It's gone into regulation in July. And  
7 someone says, wait a minute, wait, I want you to reconsider  
8 that decision because of these reasons. We had, what, 12 or  
9 14 -- I think 12 from the State of Alaska. Many of them were  
10 for the Interior. So we can cover that during the meeting.  
11 And Tom will be discussing that, I believe, because there's a  
12 letter that may be coming out from the board addressing those.  
13

14 We already talked about the Dall River proposal.  
15 That's a state fisheries proposal. And then charter renewal.  
16 Your charter is up. It's up every two years. You can add  
17 membership, you can change your name, change your boundary. I  
18 hate to bring that up with Nat here, but no, just kidding. But  
19 that's available. And then alternates, we need to confirm your  
20 position on alternates, and we'll discuss more about that at  
21 meeting. And that brings us up to future meeting plans. Well,  
22 the regulatory review schedule, I or Tom will be presenting  
23 that. Basically, the board wants to shift by a month. They  
24 are thinking about shifting into April -- May, excuse me, their  
25 meeting, and everything else would shift forward. The  
26 background of that is it would allow staff time to deal more  
27 with the field staff, and they'll lay that out.  
28

29 MR. MILLER: Instead of an October meeting, they're  
30 talking a November meeting, or ....  
31

32 MR. MATHEWS: Well, ....  
33

34 MR. MILLER: Or September is moose hunting in most  
35 areas. I mean, they ain't going to get anybody ....  
36

37 MR. MATHEWS: Yeah. No, we would probably still stay  
38 with the October meeting. Your spring meeting would switch  
39 from February to March. But the board may take this up next  
40 month, and then that's why we're having two calendars for you  
41 to select two meeting times. So that would be an option. And  
42 that's it.  
43

44 MR. GOOD: I have a couple of things to ask about here.  
45 One, I'll read you something from this little pamphlet produced  
46 by the Bureau of Land Management. In case any of you don't  
47 know where I live, the Delta River watershed is located in the  
48 Alaska Range in Southcentral Alaska, about 175 road miles  
49 southeast of Fairbanks. And you were talking about boundary



50 changes. I think it would be good for this council to consider

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1 a boundary change that puts the Delta River within Interior  
2 Alaska.

3  
4 MR. MATHEWS: And you're presenting a proposal to that  
5 effect.

6  
7 MR. GOOD: Well, I didn't write a proposal, because  
8 when I read that in boundary changes, we would work on a  
9 proposal at a meeting such as this one.

10  
11 MR. MATHEWS: Right, okay. Right.

12  
13 MR. GOOD: So I didn't think I would write the  
14 proposal, and I thought it should come from ....

15  
16 MR. FLEENER: Is that what you were talking about up  
17 here?

18  
19 MR. GOOD: That was something else that we were talking  
20 about up there. The other thing is, of course, that there is a  
21 proposal that I have written, too.

22  
23 MR. FLEENER: It says Delta is how many miles south of  
24 Fairbanks?

25  
26 MR. GOOD: It says that -- no, it says here that the  
27 river is located 175 road miles southeast of Fairbanks, which  
28 of course is, as you're well aware driving out here, you saw  
29 the Delta River about 90 miles out.

30  
31 MR. FLEENER: Yeah.

32  
33 MR. GOOD: Actually, a little less.

34  
35 MR. MATHEWS: The Bureau of Land Management will be  
36 here to address that. But what he's addressing, a boundary  
37 change, we'll discuss more. But it'll have to be a state  
38 proposal, and possibly a federal proposal. And if the federal  
39 proposal passes it, it probably won't have much meaning.

40  
41 MR. GOOD: But on the other hand, you have to be aware  
42 that the state already manages the Delta River from the  
43 Interior, and considers it Interior in terms of fisheries. So  
44 you've got the game on one hand, the fisheries on the other  
45 hand, too.

46  
47 MR. MATHEWS: Right.

48  
49 MR. GOOD: And you're looking ultimately at having the

50 same problem when -- assuming that we take over fisheries,

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1 you'll have the same problem again.

2

3 MR. MATHEWS: So that would be one that he'll bring up,  
4 and then -- to see if the council ....

5

6 MR. FLEENER: So is it a subunit, boundary change, that  
7 you're proposing?

8

9 MR. GOOD: It would be the boundary between Units 13  
10 and 20, or 20(D), more specifically.

11

12 MR. MATHEWS: And will Steve DuBoise be here, do you  
13 know?

14

15 MR. GOOD: I don't know.

16

17 MR. MATHEWS: I don't think so.

18

19 MR. GOOD: His wife had an operation this last week,  
20 and he intended to be here. I don't know if he's going to make  
21 it. It was a pretty serious thing.

22

23 MR. MATHEWS: Well, that's it I have for the work  
24 session. I think the final note I'd like to make to you is  
25 that this work session may not seem to be that productive, but  
26 I gained some stuff out of it. But the next time -- need to  
27 talk to the Chair about a work session for the next meeting.  
28 The next one you're going to have proposals in front of you,  
29 and it might be better to do a work session then, also.

30

31 MR. FLEENER: Well, we also talked about Circle, trying  
32 to change the boundaries around Circle, because if you look at  
33 it here, Circle is right here, ....

34

35 MR. MATHEWS: Craig, do we want to recess so she can  
36 take ....

37

38 MR. FLEENER: Yes.

39

40 MR. MILLER: I'd also like to thank the students for  
41 showing up, and let them know that they're welcome any time.

42

43 (End of work session)

44

45 (Off record: 9:45 a.m.)

46

47 (On record: 11:07 a.m.)

48

49 MR. FLEENER: Okay, if I could have everyone's

50 attention, I'd like to call this meeting to order, please.

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1 I'll give everyone about a minute to settle down, and then  
2 we'll have roll call.

3  
4 MR. MATHEWS: Mr. Chairman?

5  
6 MR. FLEENER: Yes?

7  
8 MR. MATHEWS: I think before I do a roll call, I need  
9 to let people know what has transpired this morning, so they  
10 understand correctly what happened. And then encourage  
11 everybody, there is a sign-up sheet back there on the table to  
12 sign in. This morning, from about 8:30 to just short of 10:00,  
13 we had a work session, where essentially we just walked through  
14 the agenda. We didn't really come to any -- the council didn't  
15 come to any conclusions or recommendations, just kind of walked  
16 through it, allowed staff to get feedback on the logistics of  
17 putting a book together, or style and format. And then we took  
18 a recess, and here we are.

19  
20 MR. FLEENER: Okay. Can everybody hear from the  
21 speakers that are out here, in the back, or should we turn them  
22 up a little? No comment? That must be a good sign, I guess.

23  
24 MR. MATHEWS: And we decided - the council, I should  
25 say - decided during that work session that this is an open  
26 meeting. If you want to testify or that, get the attention of  
27 one of the staff, or the chair, and then he'll call you up when  
28 it's appropriate to testify. So we need to go throughout the  
29 meeting reminding people of that. Okay, I'm ....

30  
31 MR. FLEENER: Okay. I guess Nat is going to take roll.

32  
33 MR. GOOD: Craig Fleener?

34  
35 MR. FLEENER: Present.

36  
37 MR. GOOD: Lee Titus? (Not present at this time)  
38 Philip Titus?

39  
40 MR. PHILIP TITUS: Aye.

41  
42 MR. GOOD: Steve Ginnis? (Not present at this time)  
43 Nat Good, present. Gerald Nicholia?

44  
45 MR. NICHOLIA: Nicholia (corrects pronunciation).

46  
47 MR. GOOD: Nicholia, okay. Definitely present.  
48 Timothy Sam? (Not present) Charles P. Miller, Senior?

49

MR. MILLER: Here.

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1 MR. GOOD: And Calvin Tritt?

2  
3 MR. TRITT: Here.

4  
5 MR. GOOD: We have a quorum, Mr. Chairman.

6  
7 MR. FLEENER: Okay. Just for everyone's notification,  
8 Lee and Steve are, we were told, should still be in transit, so  
9 we're expecting them. We're not sure about Timothy, so I don't  
10 know if he's going to come or not. Okay, I guess the first  
11 thing we've got on the agenda -- and there's copies of the  
12 agenda in the back, if people need copies. The first thing on  
13 the agenda is introduction of the council members. Did you  
14 have anything else you wanted to interject before we do the  
15 introduction?

16  
17 MR. MATHEWS: No. I'll wait until we get to the  
18 agenda, or the approval of the agenda, excuse me.

19  
20 MR. FLEENER: Okay. I guess we can just go one by one  
21 and have the council members introduce themselves.

22  
23 MR. NICHOLIA: I'm Gerald Nicholia from Tanana,  
24 appointed as a new member.

25  
26 MR. PHILIP TITUS: Philip titus from Minto.

27  
28 MR. FLEENER: Craig Fleener from Fort Yukon.

29  
30 MR. MILLER: Charles Miller, Dot Lake.

31  
32 MR. GOOD: Nat Good from Delta Junction.

33  
34 MR. TRITT: Calvin Tritt from Venetie, new appointed.

35  
36 MR. FLEENER: Okay. Is the agency staff prepared to do  
37 introductions?

38  
39 MR. MATHEWS: Sure. I'll start off, and then she can  
40 follow, and then we'll just go around, if that's okay? Okay,  
41 I'm Vince Mathews, Regional Coordinator for Eastern Interior,  
42 with the Fish and Wildlife Service out of Fairbanks.

43  
44 COURT REPORTER: I'm Sharon Gaunt, with R & R Court  
45 Reporters in Fairbanks.

46  
47 MR. BOYD: I'm Tom Boyd. I'm with the Office of  
48 Subsistence Management, U.S. Fish and Wildlife Service in  
49 Anchorage.





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1 MR. DeMATTEO: I'm Pete DeMatteo, biologist, with the  
2 Office of Subsistence Management, Fish and Wildlife Service,  
3 Anchorage.

4  
5 MR. KNAUER: I'm Bill Knauer, Fish and Wildlife  
6 Service, Office of Subsistence Management, Anchorage.

7  
8 (Introductions from audience - inaudible, away from  
9 microphone.)

10  
11 MR. MATHEWS: Maybe Virgil wants to introduce both  
12 there, and then we'll just work our way over that way.

13  
14 (Introductions from audience - inaudible, away from  
15 microphone)

16  
17 MR. FLEENER: Okay. I guess that's everybody. I guess  
18 that's everybody. Even the honored guests have already  
19 introduced themselves. So if I turn it over to Charles, he was  
20 going to have comments by an opening elder. You can  
21 reintroduce the ....

22  
23 MR. MILLER: Oh, Gene Henry, he's the elder for Dot  
24 Lake. And maybe he could open up with a moment of prayer, and  
25 Gene will be praying in his Native tongue. You want to step  
26 up, Gene, to the microphone?

27  
28 MR. HENRY: I live in Dot Lake so many years in here,  
29 but born and raised over Copper River. My family all die off.  
30 I'm only one left here now. And I stay -- I live in Dot Lake.  
31 I got grandchildren, and I got my great grandchildren in here,  
32 I mean Mentasta. And we talk about the Christian life. We  
33 pray, Lord with us today in the meeting here. And whoever new  
34 people come in here, and understand life, understand that we  
35 only (indiscernible) any day. People know that. And Christ  
36 got to be with us today in the meeting here, and we all pray  
37 what going to be happening. You all new coming, come up here,  
38 go back safely. Bad road now. And that be all. And I talk a  
39 little about my life. I had trouble the last couple days. I  
40 went down doctor. He gave me pill to live on. Last year I had  
41 that, too. And my pill don't work on me a couple days now. I  
42 stay without the sleep two days -- I mean, two days down in  
43 Fairbanks. Tonight -- went all night last night again. I  
44 don't know what going to be happen. But I still don't care  
45 what going to be happening, but my people, I let them know now,  
46 you know, what going be happen someday with me. I don't know.  
47 What going make me sleep, I never know. But pill don't help me  
48 last night. I take it two times, I never sleep yet. But I  
49 take -- I got other pill, strong one, I take that tonight, and

50 I probably sleep. I don't know what going be happen. I'm

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1 healthy. I tell you guys, I'm healthy. I go to physical good  
2 in town. But I strong. My head something wrong, with I don't  
3 sleep all the time. Last year that happen. I come out good  
4 out of that. I do my own sleeping all summer this summer, I  
5 got it back again. I don't know what going to be. Well, go  
6 home safely, you guys got to think about, you know. If we hear  
7 anything you run off road, we don't like. You come up here  
8 meeting with us, people don't want that when you go back home.  
9 Go back, drivers take it easy. That be all.

10  
11 MR. FLEENER: Thank you very much. The next item on  
12 the agenda is to have a moment of silence in recognition for  
13 the Seward Peninsula Regional Council member, Edgar Ningeulook.  
14 Is that correct? And before we have a moment of silence,  
15 there's something that I'll read that was provided to us so we  
16 can understand who this individual was.

17  
18 It says, "Edgar, Inupiaq of Shishmaref, Alaska, passed  
19 on in the summer of 1997. He was appointed in 1996 by  
20 Secretary Bruce Babbitt to sit on the Seward Peninsula Federal  
21 Subsistence Regional Advisory Council. He had extensive  
22 knowledge in local and regional subsistence resources and their  
23 uses. The people he knew spoke highly of his work to preserve  
24 the subsistence way of life. His efforts were as eloquent as  
25 his testimony at village hearing before the Alaska Native  
26 Review Commission at Shishmaref:

27  
28 "We are the only ones who can save ourselves. We keep  
29 looking to the outside world for someone to come and do it, and  
30 it's not going to happen. We are expecting someone out there  
31 to save us and, in fact, there is nothing in the outside world  
32 that is really important. . . I think our people ought to  
33 understand that it is possible to maintain their identity and  
34 their spirit and their language and their traditions and their  
35 history and their values, and still function in the 21st  
36 century. We know what we need to know, how to make decisions,  
37 how to analyze situations, how to speak many languages and  
38 understand technology.

39  
40 "Edgar's words are an inspiration, not only to the  
41 members of the ten Statewide Federal Subsistence Regional  
42 Advisory Councils, but to those of us who diligently work to  
43 advance the continuation of the opportunity of all rural  
44 Alaskans to practice their subsistence way of life."

45  
46 And we'd just like to give a moment of silence and  
47 offer peace to his memory. And before we have this moment of  
48 silence, we should give opportunity for other names to be  
49 mentioned now, if there's anyone else that has a name that

50 needs to be mentioned. Okay, if there's no other names, let's

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1 go ahead and have a moment of silence, please?

2  
3 (Moment of silence observed)

4  
5 MR. FLEENER: Thank you very much. And I hope we keep  
6 that tradition going to recognize important members of the  
7 community who have dedicated their lives and given up time and  
8 probably given up opportunities for employment to serve in this  
9 capacity. And to many people this is an important job, and I  
10 just really want to give appreciation for that man, and the  
11 many other people who serve as council members in the various  
12 capacities.

13  
14 The next item on the meeting agenda is council member  
15 concerns. And I'd just like to go down the row. If there are  
16 any specific concerns that people want to bring up or address,  
17 you can bring it up, talk about it a little bit, and if we need  
18 to, we can address it some more later on. Calvin, do you have  
19 any topics that are of importance?

20  
21 MR. TRITT: The people in Arctic Village area are very  
22 concerned about the Porcupine Caribou Herd that is migrating  
23 from the calving ground. And it seems to the elders and the  
24 people that are there, they are being interrupted north of  
25 Sheenjek River. But Jim -- I can't pronounce this name of  
26 the ....

27  
28 MR. MATHEWS: Kurth.

29  
30 MR. TRITT: Kurth.

31  
32 MR. MATHEWS: Jim Kurth.

33  
34 MR. TRITT: We invited him to tribal meeting a couple  
35 days ago. And we discussed co-management and other topic. And  
36 we mentioned the Sheenjek River, Old John Lake, Red Sheep  
37 Creek, are being bothered by hunters and hikers. So we need to  
38 observe during the summer how many people are going into these  
39 area, so we could have evidence with videotape and so on to  
40 have correct data, numbers. So we invited him back for later  
41 date, and discussed more co-management. For a couple years,  
42 the caribou are not migrating their natural path, for instance.  
43 And there's a big -- the people are hurting in the way that  
44 they don't get their quota, or their food supply for the  
45 winter. And Arctic Village is way out of -- way up north.  
46 They don't have no road connections. The river is very -- it's  
47 not a very good river to -- you could drive your boat through  
48 there, but it's not very good river to be dependent on. So you  
49 got to have a plane, transportation with airplane, but the cost

50 is very expensive. And Old John Lake has -- most of the Old

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1 John Lake has allotment around it, and a lot of people are  
2 concerned. And the river -- there's Red Sheep Creek. It's  
3 been -- the allotments are being used as an airport, and  
4 nobody's there to -- we had two people observing up there this  
5 summer. One's from the village, a student from the University  
6 of Alaska; another student from the University of Alaska that  
7 was stationed up there. So the council thinks the best way to  
8 just sit down -- refuge management, and try to negotiate or  
9 talk out the problems. I think I got -- that's the main  
10 concern, but maybe I'll have others later on.

11  
12 MR. FLEENER: Okay, thank you, Calvin. Nat?

13  
14 MR. GOOD: I think my concerns will be addressed later  
15 in the agenda, and I think they've already been made known  
16 here, so ....

17  
18 MR. FLEENER: Okay. Chuck, do you have any concerns?

19  
20 MR. MILLER: Yeah, but I -- like Nat, I think most of  
21 these will probably be -- I'll bring them up later on.

22  
23 MR. FLEENER: Okay.

24  
25 MR. MILLER: I should give Vince a chance to look up  
26 answers for me, though. On page 25, Section M, under  
27 Proposal 25, ....

28  
29 MR. MATHEWS: What's the page again?

30  
31 MR. MILLER: Page 5.

32  
33 MR. FLEENER: Under Tab M?

34  
35 MR. PHILIP TITUS: Page 5?

36  
37 MR. MILLER: Under Proposal 25.

38  
39 MR. MATHEWS: Are you talking about minutes, or ....

40  
41 MR. MILLER: No, under Tab M.

42  
43 MR. MATHEWS: Oh, sorry. Okay.

44  
45 MR. MILLER: And it's the last sentence, the last  
46 paragraph: "There are legal uncertainties regarding the  
47 distinctions between the two communities; moreover, current  
48 subsistence data does not provide a basis for differentiating  
49 between them." And I thought that we had that taken care of at



50 the last meeting, but I guess not. Dealing with Dot Lake and

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1 the two communities. The Native Village of Dot Lake and  
2 highway community.

3  
4 MR. MATHEWS: Correct. I don't know how best to handle  
5 this now. I think we need to add it as an agenda item, would  
6 probably be the best bet, underneath - let me make sure -  
7 underneath when we talk about response from the board, which  
8 would be - I'm not finding it here quick enough - but it would  
9 be under report of Federal Subsistence Board actions since last  
10 meeting.

11  
12 MR. FLEENER: It's on Thursday, Item XI, A-1, review of  
13 '96 annual report and board's response letter.

14  
15 MR. MATHEWS: Well, it comes underneath further  
16 under C. But during that time, sometime we need to discuss it.

17  
18 MR. MILLER: Okay.

19  
20 MR. MATHEWS: It'd be easier to do it then, otherwise  
21 we're going to be bouncing around ....

22  
23 MR. MILLER: Well, that's why I just ....

24  
25 MR. MATHEWS: Okay.

26  
27 MR. MILLER: I thought I'd give you a little warning on  
28 this.

29  
30 MR. FLEENER: That's what this is meant to be for.  
31 It's just to provide additional information, let people know  
32 what's on our mind, and not to make a lot of changes or  
33 anything right now, just to bring up certain issues that are  
34 important. Is that all?

35  
36 MR. MILLER: Yes, that was the main ....

37  
38 MR. PHILIP TITUS: Which one did they put it under?

39  
40 MR. FLEENER: I don't think they put it on anything  
41 yet. We're going to get to it. We haven't placed it on the  
42 agenda yet, have we? We can do that under agenda items when we  
43 look over the agenda. Philip, do you have any issues?

44  
45 MR. PHILIP TITUS: I don't think -- no, not right off.

46  
47 MR. FLEENER: Okay. Gerald?

48  
49 MR. NICHOLIA: I have issue that's affecting Tanana

50 residents, but it doesn't fall under the Federal Subsistence

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1 jurisdiction. It deals with the opening that was allowed --  
2 Kaltag from on down, that did not allow people from around  
3 Tanana area, up the Yukon and on the Tanana River, opening for  
4 either subsistence or commercial. These people -- the Tanana  
5 people really depend on that fall chum run to get fish and  
6 stuff through the winter. And I'd just like to let people know  
7 that. It more or less deprives the up-river people, help the  
8 down-river people.

9  
10 MR. FLEENER: Okay. I've got a couple items that I  
11 wanted to bring up. One is a wolf snaring ballot initiative  
12 that is going to be, or has been -- I guess I just heard word  
13 from Nat that it's officially going to be put on the state  
14 ballot, and I guess someone is interested in the people not  
15 being able to snare wolves in the State of Alaska anymore. So  
16 that's an item that is going to concern an awful lot of people.  
17 It's already of concern to people. And this group, as well as  
18 many others, have argued for protecting trapping rights and  
19 trapping opportunity for the residents of rural as well as  
20 non-rural villages. And I still like to say that I support the  
21 opportunity for trapping and snaring, and this is an issue  
22 that's going to get real hot. And I'm not sure when the  
23 date -- when it's going to be voted on. I think it's not this  
24 November, but next November, right?

25  
26 MR. GOOD: It think so.

27  
28 MR. FLEENER: And so we have a while, but there's -- I  
29 think each of the members of this council here need to take  
30 this information, what little information I provided, find some  
31 more information, and discuss it in their communities, or else  
32 we might not be able to snare wolves in the near future. And  
33 that's just one more domino in the domino effect of getting rid  
34 of killing animals altogether.

35  
36 Another issue that we discussed at the last meeting a  
37 little bit, and has been talked about a little bit here and  
38 there, is the Circle boundary. The boundary for the Village of  
39 Circle, the subunit boundary, they're interested in moving it,  
40 and I just wanted to bring this out and let people think about  
41 it. And there are state and federal people here. The people  
42 of Circle would like to move the boundary. I'll show you on  
43 this map here. We do have other maps around. Circle is right  
44 here, and this -- the southern boundary for 25(D) comes up to a  
45 sharp point, it follow the highway, I believe, and it comes  
46 back down, and then -- and so some of the problems are that  
47 there's different seasons on each side of the road. And they  
48 are a road hunting community, along with hunting along the  
49 river. But I guess they've had a lot of concerns and are

50 really interested in getting a change, but it's going to take

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1 more than what we can do and more than what the Subsistence  
2 Board -- it's going to take the state and the federal board to  
3 make a joint change. And I've talked to people, federal and  
4 state people, and neither one says that there's a big problem  
5 with it. And what they would like to do is just take a line  
6 and draw straight across, so they're not right on the edge of  
7 two boundaries like that. And so that's an issue that they're  
8 concerned about.

9  
10 And another one that I always bring up is  
11 co-management. And I'd just like to let everybody know that  
12 co-management is still an important issue for this council, and  
13 many of the other councils, and all of the villages in the  
14 Yukon Flats, which are the only ones that I can really speak  
15 for. The co-management is very important, and the more  
16 involvement by local people, the happier the local people are  
17 going to be, because they're going to be involved in  
18 co-management. And having someone from the outside manage a  
19 resource that you depend on, without a lot of input, it isn't  
20 well accepted. And so the opportunity for more input is pretty  
21 important.

22  
23 That's all that I have. Steve is getting coffee. Do  
24 you have any issues that you want to bring up?

25  
26 MR. GINNIS: Yes, I do.

27  
28 MR. FLEENER: Okay. We'll wait for Steve to pour his  
29 coffee, and he'll be back in a second. A man's got to know his  
30 priorities, and coffee is one of them.

31  
32 (Steven Ginnis now present on panel)

33  
34 MR. GINNIS: Well, Mr. Chairman, I want to apologize  
35 for being a little late, but you know the highway condition's a  
36 little -- I couldn't go as -- you normally, a hundred miles an  
37 hour I usually go. I got a little late.

38  
39 (General laughter)

40  
41 Mr. Chairman, there are several things that I wanted to  
42 address at this council. One thing has to do with the moose  
43 management plan in the Yukon Flats. You know, it's something  
44 that I have repeatedly have brought to the attention of this  
45 council, and it's something that, you know, really needs some  
46 attention paid to it, particularly with what's going on in the  
47 Yukon Flats now with the moose. You know, they now have put a  
48 price tag on the antlers. And, you know, if we don't get a  
49 hold of the situation here, I'm afraid that we may very well,

50 you know, get rid of all the bull moose in the region. So

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1 really that's a concern that I want to express. And it goes in  
2 line with what you were just saying. It has to do with  
3 co-management. And I think that agencies need to understand  
4 that tribes really have a valid part in the management of these  
5 resources. And I think that, you know, they need to start  
6 paying a little more attention to what we're trying to address.  
7 I'm talking specifically to staff, you know, that I think part  
8 of my role here, if I understand it correctly, is to try to  
9 provide some input, to try to provide some direction. And so  
10 sometimes it's very frustrating to come to these meetings and,  
11 you know, kind of just rehash the same things that we rehashed  
12 a year and a half ago. You know, I mean, when are we going to  
13 really get down to addressing some of these valid issues.

14  
15 And the other thing I wanted to say was that I'm  
16 getting more and more concerned about other activities that  
17 have happened on the refuge. It's something that I think  
18 really needs to be addressed before it gets too far out of  
19 hand. And those are activities related to sports hunting. You  
20 know, it's kind of disturbing to see, you know, a bunch of  
21 antlers coming through, not knowing where they came from, and  
22 wondering where all the meat is, you know, that type of thing.  
23 It's the same thing I repeatedly have said here. And in fact,  
24 I recall passing a motion asking for monitoring of these  
25 activities during the fall hunting season. And I haven't seen  
26 that happen yet. And these are valid. These are things that  
27 are going on out there that I really feel if we don't get a  
28 handle on it, we're going to be probably introducing bison, you  
29 know. I mean, so that's just the message I want to make, is  
30 simply that I wanted to ensure that; I mean, not ensure it, but  
31 to bring it out as an issue again.

32  
33 The other thing that was on this agenda was these  
34 booklets, these things here. I have some suggestions for it,  
35 but I'll talk about that when we get to it. And I don't have  
36 anything else. Thank you.

37  
38 MR. FLEENER: Okay. Thank you, Steve.

39  
40 MR. GOOD: Mr. Chairman?

41  
42 MR. FLEENER: Yes.

43  
44 MR. GOOD: A question for Steve. What was this about  
45 the price of moose antler?

46  
47 MR. GINNIS: Well, you know, there's a real market for  
48 them now. And people out in the rural areas are getting wind  
49 of this. You know, I mean, when you can sell antlers for \$6 a



50 pound, when you're faced with high unemployment out there, you

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1 know, it's easy to get caught up in something like this. And  
2 all I'm saying is that we need to address it before we get too  
3 far out of hand, you know. And when we get to the refuge  
4 management report, I will have some suggestions I think about  
5 how we need to move forward here. Let's not just, you know,  
6 talk about these concerns and not do anything about them.

7  
8 The other thing I was going to say was that, you know,  
9 for quite some time we've been talking about incorporating  
10 traditional knowledge into the management of these resources.  
11 You know, it's time to address that. I think a good example of  
12 that is the caribou up there in Arctic Village. These folks,  
13 they know these animals. And when they see that their  
14 behavior, you know, has changed, they recognize that. There's  
15 something wrong there, you know. And so they're asking for  
16 help to find out exactly what is it that's going on there, you  
17 know. And so this idea of traditional knowledge needs to  
18 really be incorporated into the management of these resources.  
19 I mean, that's another area that we just can't just continue to  
20 talk about.

21  
22 MR. FLEENER: Does that answer your question?

23  
24 MR. GOOD: It does.

25  
26 MR. FLEENER: Thank you, Steve. Before we go on to the  
27 next agenda item, somebody has a maroon colored van with lights  
28 on, so I don't know who owns a maroon van. It's hard to  
29 remember to turn your lights off when you're driving when it's  
30 light out. Okay, the next agenda item is additions or  
31 corrections to the agenda, and agenda approval. So Vince, did  
32 you have any ....

33  
34 MR. MATHEWS: Mr. Chairman, we did have a couple items,  
35 and then we need to go back to the concerns to see if they need  
36 to be plugged in. The items I had down here was, when we went  
37 through the work session, was where to put in the subcommittee  
38 report on co-management, the draft concept. And I think there  
39 was discussion to put that underneath the chair's report as  
40 Item No. F under -- well, it's on page 1 under chair's report.  
41 The other items, and I may have to ask for Park Service input  
42 on this, is did they want to deal with the National Park  
43 Service Subsistence Issue Paper? It has a new title now, which  
44 I can't remember. Did they want to cover that under agency  
45 reports? Okay. And you have a copy in the book. And the  
46 other one was, I think I already talked to Hollis and Paul  
47 Starr on, is the preliminary report on Tanana as a resident  
48 zone community. And I think Hollis will talk about that during  
49 his thing. So that's the ones I had noted, then we need to go

50 through the concerns and see if they need to be plugged in to

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1 the agenda.

2

3 MR. FLEENER: I know one issue that I'd like to let  
4 Steve know about was that the council members wanted to know if  
5 you would be willing to give a report on AITC co-management,  
6 the whole deal.

7

8 MR. MILLER: That Subsistence Summit.

9

10 MR. FLEENER: Yeah, the Subsistence Summit.

11

12 MR. GINNIS: Sure.

13

14 MR. FLEENER: Okay. And we could probably put that  
15 under letter C, under Item X. Is that where -- would that be a  
16 good place? Other member reports, information exchange on  
17 meetings? C(1), or something like that? Would that be all  
18 right? It's on the bottom of page 1? And I guess some of  
19 these issues that each of us brought up actually can be  
20 discussed when -- like the refuge managers, if they give  
21 presentations and what not, since a lot of them deal with  
22 issues in the refuges. But are there any of these that we  
23 discussed that people want specifically added to the agenda? I  
24 don't know about the Dot Lake communities. I don't know where  
25 that would be addressed. Would you want that to be an agenda  
26 item?

27

28 MR. MILLER: I'd like to get an answer on it, yeah.

29

30 MR. FLEENER: Okay. Where would you suggest that be  
31 fit in?

32

33 MR. MATHEWS: Well, that'll be discussed -- what I call  
34 the 805-C letter, the response from the board, and then we can  
35 discuss it with other staff and why that came out that way.

36

37 MR. MILLER: Okay. So under ....

38

39 MR. FLEENER: Where is that located?

40

41 MR. MATHEWS: It would be under page 2 under XI-C. I  
42 mean, that's about the best place it would fit in there.  
43 Report of the Federal Subsistence Board actions since last  
44 meeting. That's your official written response. That's what  
45 you looked at on that page, and then we can talk further about  
46 that. The only other issue I saw there, and again I'll advise  
47 you it's a state proposal, would be the boundary change for  
48 Circle. You can write a proposal to the Board of Game to do a  
49 boundary change, and their due date is January 9th. And

50 somewhere around here we would have a copy of a proposal form,

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1 if that needs to be used.

2

3 MR. FLEENER: Well, I think the Circle council is  
4 already supposed to be doing that, so I just wanted to bring it  
5 up as an issue and let people know what's going on up that  
6 direction. Any other corrections to the agenda? Any  
7 additions? Is there a motion to approve the agenda?

8

9 MR. GINNIS: So move.

10

11 MR. FLEENER: There's a motion. Is there a second?

12

13 MR. MILLER: Second.

14

15 MR. FLEENER: Moved by Steve, seconded by Chuck. All  
16 in favor of the motion, signify by saying aye.

17

18 ALL MEMBERS: Aye.

19

20 MR. FLEENER: All opposed, same sign? Motion carries.  
21 Reading and approval of the Tanana meeting minutes.

22

23 MR. MATHEWS: Yes. Mr. Chairman, that's under Tab B, I  
24 believe. Yes. And what you would need to note in there, you  
25 received this in the mail, the various agencies have received  
26 this, the tribal councils have received it, the village  
27 councils. I don't know, it's about 120, 130 people on a  
28 mailing list for Eastern Interior. With that, we did get some  
29 replies for changes, and those changes are in the, kind of the  
30 gray lettering. For example, on page 1, for some reason I put  
31 down Timothy Sam twice and left out Chuck Miller. So that's a  
32 correction there. So if you want to look at that and then go  
33 from there, I can explain why the changes are, or what's in the  
34 minutes.

35

36 MR. FLEENER: Well, maybe we can just take five minutes  
37 to look over this, instead of reading through them, unless  
38 there's -- someone wants to hear them read. Okay, we'll just  
39 take a few minutes to look these over.

40

41 (Pause - members examine documents)

42

43 MR. FLEENER: While everyone's going over this, I'll  
44 just make an announcement that we're going to break for lunch  
45 at 12:30. Okay, if there are no comments -- or are there any  
46 comments, I should ask? Does anyone have anything? Yes,  
47 Steve?

48

49 MR. GINNIS: Yeah. Mr. Chairman, under page 3, you

50 know, where I made a motion to have a special meeting, this is

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1 regarding the Federal Subsistence Fisheries Management, you  
2 know. And I guess I'm just wondering what has happened with  
3 the proposed ruling. Is there such a thing that's been  
4 published? And are we going to have a special meeting to  
5 review that?

6  
7 MR. MATHEWS: We can either answer the question now, or  
8 it'll come underneath the briefing when we deal with the status  
9 of fisheries. So we can either wait till we deal with  
10 fisheries in general on that, but there was a response  
11 generated -- I mean, not generated, but your motion was carried  
12 forward.

13  
14 MR. GINNIS: Yeah, but I don't recall having a special  
15 meeting.

16  
17 MR. MATHEWS: It was under the discussion ....

18  
19 MR. GINNIS: The motion is to have a special meeting to  
20 discuss the proposed regulations, I guess.

21  
22 MR. BOYD: Well, there will be a briefing, but just to  
23 try to get a direct answer to your question. There is  
24 currently no proposed rule published, and our intent was to  
25 have a special meeting of the council upon publication of the  
26 proposed rule, something so we would have something in front of  
27 you to talk about. But we have not published a proposed rule,  
28 and currently there is no schedule for doing such. I think the  
29 latest activities regarding the extension of the moratorium by  
30 the Congress has created some uncertainty with regard to the  
31 timing of the publication for proposed rule. So I can't tell  
32 you when that will take place, but it's our intention to have a  
33 council meeting, or council meetings in general, when that  
34 happens.

35  
36 MR. GINNIS: Okay. The other thing, Mr. Chairman, is  
37 on page 5. It has to do with that Nome Creek project. You  
38 know, we made it pretty well known I think to the BLM people  
39 that we weren't very happy with this project. You know, it  
40 didn't have no input from us. It was put in there without our  
41 knowledge. And the impact it may have on us, you know, down in  
42 the future, using that area as a recreational area could really  
43 influence our hunting and whatnot in the Yukon Flats I think.  
44 So I guess all I wanted to say there is that there should be a  
45 little more emphasis on that, in this particular -- when we  
46 were talking about this project. I want to make it clear to  
47 BLM that in the future I hope that when they're proposing  
48 projects that they at least consult with the affected  
49 communities, even though we might be on the other side of the



50 White Mountains. Still, it can have an impact on us in the

0042

1 future.

2

3 The other thing had to do with Terry Haynes, his  
4 report. I just wanted to find out what this part here says,  
5 "Discussion continued on the state's desire to improve its  
6 participation with the Federal Subsistence process, through  
7 higher involvement at regional council meetings and through  
8 cooperative management planning." I just wanted to know what  
9 that meant, I guess, or what was discussed there.

10

11 MR. MATHEWS: That there is where we preliminarily  
12 brought up the memorandum of understanding that was being kind  
13 of started. Well, actually it was submitted by the state to  
14 the federal program, and that's capturing that intent. And of  
15 course Terry is here, if I capture this wrong. But that's the  
16 discussion, and that item is on the agenda at this meeting, the  
17 status of the memorandum of understanding with Fish and Game.  
18 So I need to get clarification then for under Nome Creek. Do  
19 you want me to add in a sentence about that ....

20

21 MR. GINNIS: I think what the point that we were trying  
22 to make there was simply that, you know, that they need to  
23 consult with the affected communities when they're moving ahead  
24 with any proposed projects. I mean, I think that's the point  
25 that needs to be reflected in that discussion there, other than  
26 our opposition to it.

27

28 MR. MATHEWS: Okay.

29

30 MR. FLEENER: I think that if that's what the rest of  
31 the council would like to do, I don't see a problem with us  
32 addressing a letter to BLM saying that the villages in that  
33 area would like to be notified before a road's going to be  
34 built in their area. Maybe it's not something that they have  
35 to do because it's their land, I guess, or whatever, but maybe  
36 we could write them a letter saying that there are issues that  
37 involve subsistence, and the disruption of subsistence  
38 activities could result in this road, and that rural residents  
39 in that area would like to have input before such a thing takes  
40 place. Is that ....

41

42 MR. MATHEWS: It's your wish. My fingers wait to type.

43

44 MR. FLEENER: Okay. Are there any more concerns?

45

46 MR. GINNIS: One other one.

47

48 MR. FLEENER: Go ahead.

49

MR. GINNIS: Is the Arctic Village, Venetie proposal.

0043

1 The motion was to request staff to assist the villages -- these  
2 villages with writing these proposals. it had to do with Unit  
3 25(A). Has that been followed up, or ....

4  
5 MR. MATHEWS: Yes. Mr. Chairman, what is happening on  
6 that is first off a letter was sent to the villages offering  
7 our services. Since that time, Calvin has been obviously  
8 appointed to the council, and he's met with the refuge manager  
9 and others on this particular issue. Jim Kurth, Greg, and I  
10 don't know who else, went to a - I may use the wrong term, so  
11 Calvin can correct me - I took it as a joint meeting of the  
12 tribal councils of Arctic Village and Venetie, but I think it's  
13 one tribal council now. Yeah. They met with the tribal  
14 council there and discussed this issue. And like Calvin said,  
15 there'll be further discussion on that. So my understanding,  
16 the communities there are going to pursue that route for remedy  
17 to their concerns, instead of a proposal, or proposals.

18  
19 MR. GINNIS: Say that again? They're going to go do  
20 what?

21  
22 MR. MATHEWS: What now?

23  
24 MR. GINNIS: Say that again? Rather than a proposal,  
25 they're going to go what route?

26  
27 MR. MATHEWS: They're going to go with meetings with  
28 the refuge manager and staff to work out other solutions.

29  
30 MR. TRITT: Discussion of co-management?  
31 Mr. Chairman -- sorry. Mr. Chairman? I'd like to add, on the  
32 bottom of the -- the discussion that Steve is talking about, I  
33 would put in Old John Lake. We're having a lot of float plane  
34 problems, that landing there, and people are concerned about  
35 that. And I'd like to put that in there.

36  
37 MR. FLEENER: Was Old John Lake part of the discussion  
38 at the time?

39  
40 MR. TRITT: Yes, but in the minutes at that time, I  
41 don't know. It's supposed to be in there, but ....

42  
43 MR. FLEENER: Well, maybe you can bring it up this  
44 time. I don't think we can put something down that we didn't  
45 discuss last time. If you want to talk about it this time, I  
46 think we can discuss it.

47  
48 MR. TRITT: Okay.

49

MR. FLEENER: But this is just to reflect what we

0044

1 discussed last time.

2

3 MR. TRITT: Yeah, I brought it up earlier, so ....

4

5 MR. FLEENER: Uh-huh. Okay.

6

7 MR. GINNIS: So on this -- Mr. Chairman, then on this  
8 issue here, it doesn't require any regulatory change, to change  
9 the management area to shift it further north? I mean, is  
10 there -- I mean, I'm just curious. How is this going to be  
11 worked out between the refuge managers and the people affected?

12

13 MR. MATHEWS: Well, I may need to pull on Greg on this  
14 to find out, but I think there - and Calvin may correct me -  
15 there was confusion. What I heard is that there was possibly  
16 confusion in the village as to where the boundary of the  
17 village -- the Sheep Management areas was. And once that was  
18 cleared up, I think their concern wasn't as strong on changing  
19 the whole management area. In answer to your question, to  
20 change the management area to a different location would be a  
21 regulatory action, and would require board and the full review.  
22 That's not administratively done by the refuges.

23

24 MR. GINNIS: Then so their meeting would be just -- I  
25 mean, their meeting would be just fruitless, huh? I mean, to  
26 try to address this concern? I mean, ....

27

28 MR. MATHEWS: If it's still a valid concern, I wouldn't  
29 coin it as fruitless. I would coin it as more that there may  
30 be other options that could be worked out through the  
31 management authorities of refuges on the Sheep Management area.  
32 My understanding is that once the area was defined that it was  
33 from the drainage - and again I may need Greg on this, because  
34 I'm really searching here - it wasn't clear where that line  
35 was. Once that was cleared up, I thought the village was  
36 comfortable with the existing boundaries of the village -- the  
37 Sheep Management area.

38

39 MR. McCLELLAN: Yeah, I guess -- Mr. Chairman?

40

41 MR. MATHEWS: Greg, I think you need to go up to the  
42 mike. I don't know how we want to do this. We can either nip  
43 it in the bud right now, or -- probably be best.

44

45 MR. GINNIS: Well, I'm just trying to get it clear in  
46 my mind what's going on here. But it says regulatory process;  
47 to include it in the next regulatory process. And what you're  
48 saying is, no, they're going to meet together. Well, meeting  
49 together ain't going to resolve this issue if it requires a

50 regulatory change.

0045

1 MR. MATHEWS: Correct.

2

3 MR. GINNIS: I mean, you need to really get to the  
4 issue of either making a regulatory change, or not doing it  
5 all. That's the way I look at it.

6

7 MR. FLEENER: Greg, go ahead.

8

9 MR. McCLELLAN: Mr. Chairman, Greg McClellan with  
10 Arctic National Wildlife Refuge. Just for clarification,  
11 Steve. At the Tanana meeting, Calvin did bring up the issue of  
12 Red Sheep Creek and the caribou migration. And my recollection  
13 was, at the meeting, Calvin asked that Jim Kurth, the Refuge  
14 Manager for Arctic National Wildlife Refuge, to come up there  
15 and talk about those issues. We came up there a couple weeks  
16 after the meeting, and had a meeting with the folks in Venetie.  
17 And we talked about that issue, and they weren't aware that Red  
18 Sheep Creek and the Drainages of Red Sheep Creek and King Creek  
19 were within the existing Arctic Village Sheep Management area.  
20 And after that was discussed at that meeting, there wasn't  
21 anymore discussion brought up on that issue.

22

23 MR. PHILIP TITUS: So what was the concern of these  
24 people? That they were being excluded from hunting, or they  
25 were denied?

26

27 MR. McCLELLAN: No. The Arctic Village Sheep  
28 Management area is a area north of Arctic Village that's only  
29 open to sheep hunting for local people from, I believe, five  
30 different villages. And the Red Sheep Creek Drainage,  
31 historically and traditionally, has been the drainage with the  
32 best sheep habitat. And prior to 1994, that Red Sheep Creek  
33 Drainage wasn't included within the Arctic Village Sheep  
34 Management area. But in '94, '95, it got included in the Red  
35 Sheep, Arctic Village management area, and ....

36

37 MR. PHILIP TITUS: So right now they're allowed to hunt  
38 as they did before?

39

40 MR. McCLELLAN: Correct. It's only open to subsistence  
41 hunting. It's not open to outside sport hunting.

42

43 MR. PHILIP TITUS: Does that clear it up, Steve?

44

45 MR. GINNIS: Yeah, I guess so.

46

47 MR. FLEENER: If they hold this meeting, or if they  
48 hold meetings up there and discuss these issues, are they going  
49 to miss out on a possible regulation change for this regulatory



50 year, if that's still important to them to have a regulatory

0046

1 change?

2

3 MR. MATHEWS: Well, the due date for proposals is  
4 October 24th. I suppose, using Steven's approach, my  
5 understanding, what information's given to me, is that that  
6 issue is no longer an issue to Arctic Village and Venetie. So  
7 I think they've selected to, once this was clarified on  
8 boundaries, to focus their energies on the caribou migration  
9 concern. So yes, you're right, if they don't submit a proposal  
10 by October 24th, they would have to wait until next year,  
11 October.

12

13 MR. FLEENER: And Calvin, you say that there may not be  
14 an interest in a proposal to change the season -- I mean, to  
15 change the boundary?

16

17 MR. MATHEWS: Change the boundary of the  
18 management ....

19

20 MR. TRITT: Well, does Fish and Management ....

21

22 MR. FLEENER: Yeah.

23

24 MR. TRITT: Well, what they discussed in that meeting  
25 was that we know we have problems within this three areas. And  
26 what we're trying to get to is, like you were saying -- like  
27 you were talking about co-management, and that's an area that  
28 we're trying to get into. Instead of proposing it, which takes  
29 about a year, that the council members decided that maybe, if  
30 we sit down with Jim Kurth, that's the management -- refuge  
31 management, maybe we'll come to a conclusion as a government to  
32 government basis type. Discussing and solving the problem,  
33 instead of going through the proposal, and have to deal with  
34 all these other departments, Sportsman Association, whoever.  
35 And they think that if we sit down and discuss it as a -- like  
36 I said, government to government, then we'll solve -- if we  
37 solve these problems, it would be just a lot more easier than  
38 going through all this route.

39

40 MR. FLEENER: Okay. Thanks Calvin. Does that clarify  
41 things, Steve?

42

43 MR. GINNIS: Well, yeah, I guess. I mean, you know,  
44 when we originally discussed it, you know, I understood that  
45 there was some regulatory issue to be addressed here, is the  
46 way I understood it when we first discussed it. I guess that's  
47 why I made the motion the way I did, you know. And like vince  
48 is saying, that if there's a regulatory change being proposed  
49 here, we got to get with it. The 23rd is what, next week, a

50 couple weeks?

0047

1 MR. FLEENER: And are there any proposed meetings  
2 before the 24th?

3  
4 MR. TRITT: We invited them, but we never set a date  
5 when we could ....

6  
7 MR. McCLELLAN: Correct. We never did set a date,  
8 but ....

9  
10 MR. FLEENER: Okay, you guys have to go up the 20th.  
11 It's been settled.

12  
13 MR. TRITT: What's today's ....

14  
15 MR. PHILIP TITUS: The 15th.

16  
17 MR. FLEENER: Okay. Thank you, Greg. Is there ....

18  
19 MR. PHILIP TITUS: Can we just draft up a proposal for  
20 them, and ask them to discuss it at their meeting? If they  
21 want to accept it, they could, if they don't, ....

22  
23 MR. FLEENER: Well, we can, but it doesn't sound like  
24 they want a proposal now. It sounds like they just want to  
25 work it out.

26  
27 MR. PHILIP TITUS: Well, it's something to fall back on  
28 in case they need our ....

29  
30 MR. FLEENER: Well, I guess we can discuss that later  
31 on. Okay, are there any more issues on the approval of the  
32 minutes?

33  
34 MR. MILLER: Mr. Chair?

35  
36 MR. FLEENER: Yes?

37  
38 MR. MILLER: I've just got one. On page 7, the first  
39 paragraph, requested change. All through everything else in  
40 the minutes we've referred to Dot Lake as the Native Village of  
41 Dot Lake, except for that first -- I don't know whether ....

42  
43 MR. PHILIP TITUS: Which one are you reading?

44  
45 MR. FLEENER: The requested change, the first paragraph  
46 on page 7.

47  
48 MR. MILLER: Yeah. I don't know if that was just a  
49 typo, Vince, or whether ....



0048

1 MR. MATHEWS: Okay. If we're talking page 7 there,  
2 under 25(A) through G, correct?

3  
4 MR. MILLER: Under page 7, it's requested change, the  
5 first ....

6  
7 MR. FLEENER: Proposal No. 22?

8  
9 MR. MATHEWS: Right. That was a combined proposals --  
10 I don't know how many, but at least A through G, so that was  
11 just trying to capture in a sentence what was going on there  
12 under requested change. So it wouldn't have mentioned a lot of  
13 detail in that sentence change, because the board, the staff  
14 committee, and others would have had the full proposals in  
15 front of them.

16  
17 MR. FLEENER: Yeah, but if this is a community, we  
18 might want to change that to get it corrected. If it said  
19 Venetie there, you know, that would be -- we would want to  
20 change that. So if it's -- I mean, what Chuck is saying is  
21 that there's a difference between the Native Village of Dot  
22 Lake and Dot Lake. Unless it encompasses both, then I guess  
23 you could put both, but ....

24  
25 MR. MILLER: I don't think for this, it didn't  
26 encompass both in this discussion.

27  
28 MR. MATHEWS: Right. Oh, okay, you're up -- okay, I'm  
29 sorry. I was looking at 25, Proposal 25.

30  
31 MR. FLEENER: Yes, it's Proposal 22, the very top of  
32 page 7.

33  
34 MR. MATHEWS: Well, the only thing I can be is honest.  
35 I don't have Proposal 22 in front of me to know what originally  
36 was submitted. I know when we had our subcommittee meeting of  
37 representatives from the others, that's when Dot Lake, Native  
38 Village of Dot Lake was differentiated and moved forward at the  
39 council level. I would have to look at Proposal 22, because  
40 that is capturing what was said there in the proposal itself.  
41 And we can ....

42  
43 MR. FLEENER: Well, maybe we can leave that to you to  
44 research, and if it says Native Village, then change it.

45  
46 MR. MATHEWS: We can look at -- then insert Native ....

47  
48 MR. MILLER: Okay. Well, see in the second paragraph  
49 under recommendations, it refers to it as the Native Village of

50 Dot Lake. What I'm saying is that it's two different

0049

1 communities, and I just want to get that straight.

2

3 MR. MATHEWS: Correct. Does the council recommendation  
4 reflect that?

5

6 MR. FLEENER: Yes, it does.

7

8 MR. MATHEWS: Yes, it does. Okay. I will research it,  
9 and if the original proposal has Native Village of Dot lake,  
10 then I'll add it to the minutes.

11

12 MR. FLEENER: Okay, is there anything else?

13

14 MR. GINNIS: Mr. Chairman, I'll move to approve the  
15 minutes of February 5th, 1997.

16

17 MR. NICHOLIA: Second.

18

19 MR. FLEENER: With changes?

20

21 MR. GINNIS: Yeah.

22

23 MR. FLEENER: Okay, there's a motion to accept, adopt,  
24 second by Gerald Nicholia. Is there any discussion?

25

26 MR. PHILIP TITUS: Call for question on the motion.

27

28 MR. FLEENER: Question's been called. All in favor of  
29 the motion, signify by saying aye.

30

31 ALL MEMBERS: Aye.

32

33 MR. FLEENER: All opposed, same sign? Motion carried.  
34 Elections and appointments.

35

36 MR. MATHEWS: Yes, Mr. Chairman, you have three  
37 offices. You have the chair, vice chair, and secretary. And  
38 they are annual positions. And I think that's all I need to  
39 say on that.

40

41 MR. GOOD: Mr. Chairman?

42

43 MR. FLEENER: Yes?

44

45 MR. GOOD: I nominate Craig Fleener as the chairman.

46

47 MR. TITUS: Second.

48

49 MR. FLEENER: There's a nomination and a second. Are



50 there any other nominations? I was just talking to several of

0050

1 the council members earlier about my being chairman of this  
2 council, and I don't know if this is the time to talk about it  
3 or not, but since I'm chairman I guess I'll talk about it.  
4 That it's been a pleasure to be chair of the Advisory Council.  
5 And I've been concerned with a lot of issues around the Yukon  
6 Flats and around Alaska, and I've been involved in an awful lot  
7 of things. And I'm considering, and still haven't fully come  
8 to grips with whether or not I'm wanting to step down from  
9 chair or not. But I've been involved in a lot of things, you  
10 know. I go to school full time, I work a lot of hours, I'm a  
11 member of many different councils. And I was considering the  
12 possibility of stepping down, at least for a year, until I get  
13 out of school, and maybe turning down the appointment as -- or  
14 if it's voted that way, as chairman. And so I think I'll do  
15 that. And I don't know what the terminology is to turn the job  
16 down, but if there are any other nominations, I'd like for you  
17 guys to consider making other nominations.

18  
19 MR. GOOD: Mr. Chairman?

20  
21 MR. FLEENER: Yes?

22  
23 MR. GOOD: Out of curiosity, ....

24  
25 MR. FLEENER: You're going to scold me, now.

26  
27 MR. GOOD: Well, no, I'm just going to ask you if you  
28 consulted with Steve Ginnis to get to where you are now?

29  
30 MR. FLEENER: If I consulted Steve about me stepping  
31 down?

32  
33 MR. GOOD: Well, we heard the same speech from Steve  
34 last year, you know.

35  
36 MR. FLEENER: No, but Steve is also on a lot of  
37 councils.

38  
39 MR. GINNIS: What are you -- trying to get me in this  
40 thing?

41  
42 MR. FLEENER: Oh, he just was wondering if I'm giving  
43 the same speech you gave last year, because you've been on a  
44 lot of councils. But going to school full time and working is  
45 a -- and being chairman is a big responsibility, going to a lot  
46 of meetings. So anyway, are there any other nominations? Did  
47 that answer your question in a roundabout way?

48  
49 MR. GINNIS: Well, in any case, Mr. Chairman, I hope

50 that you accept this, and, you know, carry out the

0051

1 responsibilities as involved in it, you know, because, you  
2 know, you can't do a -- I was going to use a word, but I'm not  
3 going to use it, you know. You can't dedicate half your time  
4 to it, whatever. It's got to be a full commitment, you know.  
5 That's why I don't accept this myself, you know. I'd like to  
6 chair this council myself, but I got many other things that's  
7 going on, you know, and besides that, it's a couple times a  
8 year we meet, you know. Unless there's something else that  
9 goes on in between, you know, different meetings that occur  
10 once in a while.

11  
12 MR. FLEENER: Yeah, as the chairman, you attend several  
13 more meetings than the regular council meetings, and you're on  
14 the telephone very frequently looking at an awful lot of  
15 paperwork, so ....

16  
17 MR. GINNIS: So anyway, I hope that, you know, whoever  
18 wants to accept this chairmanship, that they understand that  
19 there's a responsibility, and the commitment has to be there,  
20 you know.

21  
22 MR. FLEENER: Well, are there any other nominations?

23  
24 MR. GINNIS: I'll move to close the nominations on the  
25 chair.

26  
27 MR. FLEENER: Well, you can't close it, because I  
28 turned down the job. There's no nominations right now.

29  
30 MR. GINNIS: Oh, you're ....

31  
32 MR. FLEENER: Yeah, I ....

33  
34 MR. GINNIS: Oh, I see.

35  
36 MR. FLEENER: That's the discussion.

37  
38 MR. GINNIS: That's what you were doing. Why didn't  
39 you just say it?

40  
41 (General laughter)

42  
43 MR. FLEENER: I'm trying to do it gracefully, but I  
44 didn't know how. I'm not good at turning things down. I  
45 always say yes.

46  
47 MR. GINNIS: Well, -- no, I ain't going to say nothing.

48  
49 MR. FLEENER: Are there any nominations?



0052

1 MR. GOOD: Mr. Chairman?

2  
3 MR. FLEENER: Yes?

4  
5 MR. GOOD: I nominate Chuck Miller.

6  
7 MR. FLEENER: Chuck Miller's been nominated. Is there  
8 a second to the nomination?

9  
10 MR. NICHOLIA: I'll second the motion.

11  
12 MR. FLEENER: Second by Gerald Nicholia. Are there any  
13 other nominations?

14  
15 MR. GINNIS: Move to close the nominations.

16  
17 MR. FLEENER: Nominations have been closed. Do we  
18 handle this just like regular ....

19  
20 MR. GINNIS: No, ask for unanimous consent,  
21 Mr. Chairman. If there's no objection, ask for unanimous  
22 consent.

23  
24 MR. FLEENER: Okay, unanimous consent has been asked  
25 for. Is there any objection? Okay, there's no objection. I  
26 guess Mr. Miller is now the chairman. Congratulations. Shall  
27 we move to vice chair?

28  
29 MR. GINNIS: Well, give him the meeting.

30  
31 MR. FLEENER: Yes, I guess I need to turn the meeting  
32 over to you. Are you ready to ....

33  
34 MR. MILLER: I guess so.

35  
36 MR. FLEENER: Okay. You're now the man.

37  
38 MR. MILLER: Okay. Now, it's open to nominations for  
39 vice chair.

40  
41 MR. FLEENER: I'd like to nominate Philip Titus.

42  
43 MR. TRITT: Second it. Mr. Chairman, I second it.

44  
45 MR. MILLER: Okay, seconded by Calvin Tritt.

46  
47 MR. GINNIS: Move to close the nominations and ask for  
48 unanimous consent.

49

MR. MILLER: Do I hear a second?

0053

1 MR. GOOD: Second.

2

3 MR. MILLER: Second by Nat Good. Is there any  
4 objections? No objections, unanimous consent. Philip Titus is  
5 vice chair. Okay, it's open to nominations for secretary.

6

7 MR. FLEENER: I'd like to nominate Nat Good.

8

9 MR. NICHOLIA: I'll second it.

10

11 MR. MILLER: Seconded by Gerald. Do I hear any other  
12 nominations?

13

14 MR. PHILIP TITUS: Move to close the nominations.

15

16 MR. MILLER: So moved.

17

18 MR. NICHOLIA: Second.

19

20 MR. FLEENER: Second. Ask for unanimous consent.

21

22 MR. MILLER: Do I hear any questions or objections? I  
23 hear none. Okay. Other appointments? Is this open at this  
24 time?

25

26 MR. MATHEWS: Yeah, Mr. Chairman, that was just  
27 inserted in there in case there was a need. But for  
28 Subsistence Resource Commissions, there's no appointments  
29 unless the Park Service lets me know of any, but you appointed  
30 Frank Entsminger to Wrangell-St. Elias, you appointed Paul  
31 Starr to Denali. For Cooperative Management Groups and that, I  
32 think when we get into the co-management, if there needs to be  
33 any further work, we may have to look at the makeup of that  
34 group again, I don't know. So no, there's no other  
35 appointments, unless there's another agency that knows of one  
36 that I'm overlooking.

37

38 MR. GOOD: Mr. Chairman?

39

40 MR. MILLER: Go ahead.

41

42 MR. GOOD: We had one other appointment. I was  
43 appointed to Fortymile Caribou Management Team last year. I  
44 don't know whether that continues, or ....

45

46 MR. MATHEWS: The way we've done that is ....

47

48 MR. FLEENER: I don't think that's an appointment by  
49 us, though. Do we address appointments that are not by us,



50 or .....

0054

1 MR. GOOD: No, you appointed me.

2

3 MR. FLEENER: Oh, we appointed you. Boy, I'm really  
4 lost then.

5

6 MR. MATHEWS: But his question is the time length, and  
7 I'll ask Pete or somebody with the state. I think you serve  
8 until ....

9

10 MR. FLEENER: You're dead.

11

12 (General laughter)

13

14 MR. MATHEWS: I don't know of any time frames on the  
15 Fortymile Caribou Herd. I don't think they have a -- you're  
16 like the Supreme Court, I'm being told. I suppose to rephrase  
17 it another way is, is Nat still comfortable serving on that?  
18 If he's not, then we need to make an appointment. That's  
19 another way of looking at it.

20

21 MR. FLEENER: You belong there.

22

23 MR. GOOD: I have no problem with serving on it, and  
24 I'll be glad to report on it later. I expect that Craig back  
25 there was just itching at the bit to get up there, but I'll be  
26 helping him with that, I suspect. I have no problem with it,  
27 as long as nobody else wishes to serve on it.

28

29 MR. FLEENER: It's your's ....

30

31 MR. MILLER: You're stuck.

32

33 (General laughter)

34

35 MR. GOOD: No volunteers?

36

37 MR. MILLER: The informational items. Okay, Vince,  
38 help me through this one.

39

40 MR. MATHEWS: Oh, the chair reports?

41

42 MR. MILLER: No, informational items.

43

44 MR. FLEENER: That's the next thing is the chair  
45 reports.

46

47 MR. MILLER: Oh, the chair's report? Okay, that's ....

48

49 MR. FLEENER: Hey, you're the chair. No, I'm kidding.

50 Let's see what I've got on the ....

0055

1 MR. MATHEWS: Well, I think as we talked in the work  
2 session, we have staff here to help you through each of these  
3 items, so you could be the qualifier to make sure that the  
4 intent or other parts of it -- so we ....

5  
6 MR. FLEENER: Yeah, last time I think I was more  
7 prepared to give comment on the council chairs' meeting, but  
8 this time I think I'm a little less prepared. So I think I  
9 will be a qualifier.

10  
11 MR. MATHEWS: Yeah. I think what's happening there,  
12 not only because of that, is because some of these are still  
13 evolving, and I think Tom is going to present regional  
14 council -- I don't know, Tom will address me if he's going  
15 to -- who's going to bring up regional council member  
16 compensation, restructuring the board, and then the MOA with  
17 the Alaska Department of Fish and Game. And that should bring  
18 us up to lunch.

19  
20 MR. FLEENER: Do you want me to go ahead and at least  
21 introduce these, or do you want to just go ahead and take it?

22  
23 MR. MATHEWS: Well, Tom and Bill can ....

24  
25 MR. BOYD: Bill and I will do a tag team. Should we  
26 just go sit up there together?

27  
28 MR. GINNIS: Mr. Chairman, can you tell me where we're  
29 at on this agenda?

30  
31 MR. MATHEWS: We're under joint chairs, the chair's  
32 reports.

33  
34 MR. GINNIS: Here it says regional council chairs  
35 meeting, 4/6/97.

36  
37 MR. MATHEWS: Yes.

38  
39 MR. FLEENER: They're going to tell us -- they're going  
40 to update us on the requests we made, and how far they've gone,  
41 and one of the items is regional council compensation for  
42 meeting attendance.

43  
44 MR. MATHEWS: Maybe Ginnis needs to be reminded that  
45 before any of the board meetings, all ten chairs meet on their  
46 own, usually the evening before. They have their own session.  
47 The next day in the morning, the ten chairs and the board meet  
48 in executive session. These are items that were talked about  
49 there, and Tom and Bill are going to give an update of where

50 those have gone, or the status of them.

0056

1 MR. BOYD: Are you ready, Mr. Chair?

2  
3 MR. MILLER: Yes, go ahead.

4  
5 MR. BOYD: Okay. I'll direct the council's attention  
6 to Tab C. And what you have before you there is a letter that  
7 was sent to the Secretary of Interior from the chair of the  
8 Federal Subsistence Board, to address concerns raised by the  
9 meeting with the board and the chairs last April. And the  
10 concerns expressed by those chairs were that, in addressing the  
11 issue of compensation for council members, in a former letter,  
12 which, if you turn the page, you'll see one dated March 25th.  
13 That this particular March letter did not duly justify the need  
14 for the compensation in the eyes of the chairs. The chair of  
15 the Federal Subsistence Board, Mitch Demientieff, then said he  
16 would redraft that letter, forward it to the secretaries,  
17 better explaining the need for compensation. And that's the  
18 august 27th letter that you see in front of you.

19  
20 In the way of background, if you'll -- some of you may  
21 recall that two councils - I may have the timing wrong on  
22 this - two of the councils, the Northwest Arctic and the Seward  
23 Peninsula Council, had requested earlier the need for  
24 compensating council members. This was taken up in a board  
25 chair joint session in 1996, and it was decided by the board to  
26 request that compensation, through the Secretary of the  
27 Interior, and then we have the follow-up letter. In explaining  
28 the rationale, I think I would probably summarize by turning to  
29 the last paragraph of that August letter. It says that the  
30 Federal Subsistence Regional Councils feel that current  
31 reimbursement coverage is inadequate; that it falls short of  
32 compensating council members for actual financial costs  
33 incurred as a consequence of their service to the regional  
34 councils; that they forego important income producing  
35 opportunities when they attend meetings and conduct other  
36 regional council business, and that the loss of this income is  
37 especially significant because of the high cost of goods and  
38 services in rural Alaska. And because of the importance of  
39 subsistence to rural Alaska, this additional compensation was  
40 felt justified. And when I talk about compensation, I'm  
41 talking about essentially being paid over and above the  
42 reimbursement for lodging and travel expenses. So this is an  
43 update on that issue to show you that the chair of the Federal  
44 Subsistence Board did forward your concerns to the secretary.

45  
46 MR. FLEENER: Mr. Chair? Has there been any response  
47 yet from the secretary?

48  
49 MR. BOYD: No, there has not been.



00057

1 MR. GINNIS: Who's following this up, this issue here?

2

3 MR. BOYD: Well, this would be my office, Mr. Ginnis.

4

5 MR. GINNIS: Okay. Well, it seems to me that it needs  
6 to be not only a letter going back and forth there, I think it  
7 needs a little more additional follow-up, the way I view it. I  
8 mean, if we're serious about this, I would think that there  
9 would be a move to try to include this in the 1996/97  
10 appropriations bill, if at all possible. But some move's got  
11 to be made to try to put that into the appropriations bill. It  
12 ain't going to come about just with letter exchanging, I don't  
13 think. So it requests that, you know, further follow-up be  
14 done, that it is indeed included in some appropriations bill.  
15 It's a price tag of about a \$150,000, according to this letter.  
16 So I don't think that nothing would occur unless we actually  
17 try to get it into some appropriation.

18

19 MR. FLEENER: Mr. Chairman? I'd like to ask Tom, what  
20 is the usual turnaround time for response from the secretary,  
21 or is there a usual?

22

23 MR. BOYD: There is no usual. It depends on the issue  
24 and the subject, and I really can't answer your question. It  
25 depends on how high it is on his radar screen.

26

27 MR. FLEENER: And have we been in contact with anybody  
28 a little lower in his office to see where this is?

29

30 MR. BOYD: I haven't, no, not to date. You can see it  
31 was submitted the end of August.

32

33 MR. FLEENER: August 27th, yes.

34

35 MR. BOYD: And it's probably right -- the timing is  
36 probably right to do follow-up.

37

38 MR. GINNIS: So I need -- Vince, I wouldn't need to put  
39 this in a motion, do I?

40

41 MR. MATHEWS: Well, ....

42

43 MR. GINNIS: I mean, to do further follow-up? By that  
44 I mean, ....

45

46 MR. FLEENER: Not to do a letter.

47

48 MR. GINNIS: .... do I actually follow it up to the  
49 point where it's actually put in the appropriations bill?





0058

1 MR. MATHEWS: Well, I'm going to ....

2

3 MR. GINNIS: I mean, we're asking the secretary, I  
4 guess, to put that in. But I think it's got to go further than  
5 that.

6

7 MR. MATHEWS: Well, I need to kind of defer to Tom in  
8 that, because there's a question before you get to the  
9 appropriation bill that needs to be answered here, or did I  
10 miss something here? Because you have to have the question  
11 answered, can you compensate Advisory Council members before  
12 you can go to an appropriation, or maybe I missed something  
13 when I was ....

14

15 MR. BOYD: Well, I think we've wrestled with that  
16 question, and I don't think we would have written this letter  
17 had we not found that we could do this. I think the real  
18 question is whether or not it's a good idea to do it. There's  
19 a lot more implications than what might readily meet the eye  
20 here. And I'm not sure that I fully understand them all. But  
21 we have literally hundreds of advisory committees and councils  
22 throughout the United States that are staffed and served by  
23 volunteer citizens. And the question that policy makers face  
24 is, if I compensate this particular set of councils, do I then  
25 set a precedent? And I'm speaking honestly here. Do I then  
26 set a precedent for compensating other council members? And is  
27 there a reason to do that? And I think what we're trying to do  
28 is sort of set the stage for doing that by laying out the  
29 justification. Whether or not it gets buy-off at those levels  
30 because of these other considerations, that's the question I  
31 can't answer. So we're trying to introduce the idea, justify  
32 it, and then get sort of an agreement or an okay to do so, and  
33 then I think we can move forward with it. Whether or not -- I  
34 mean, we could put it in an appropriations package, and  
35 somebody in the budget office at several levels might just  
36 strike it without that concurrence, if you will, at the higher  
37 levels. And so we want to make sure that we're on board with  
38 the secretary's concurrence on this.

39

40 MR. FLEENER: Mr. Chairman? Part of the discussion  
41 with the chairs was exactly what he's talking about, the  
42 problem of setting precedents. And we believe -- the chairs  
43 that got together, anyway -- believe that some precedents do  
44 need to be set, and that there's nothing necessarily wrong with  
45 setting a precedent. And people have a bad -- they look at  
46 that and they hear, he's going to set a precedent, and there's  
47 something bad. But it's not necessarily a bad thing to set a  
48 precedent. Some precedents need to be set, and if we need to  
49 be the one to set this, then so let it be. But we really

50 aren't going to be setting a precedent. There are, like he

0059

1 said, Tom said, that there are some people that do receive  
2 compensation, but it's written into their charter, or whatever  
3 you call it. So their charters have it in there, and if we  
4 need to have our charter changed to put it in the charter, then  
5 maybe we can have that done. But there are some groups -- so  
6 it's not necessarily setting a precedent. It may be a little  
7 different order, but the precedent has already been set, and  
8 there are some groups that do receive compensation.

9  
10 MR. BOYD: In some cases, they're actually written into  
11 the law that established those particular councils, but not in  
12 this case.

13  
14 MR. MATHEWS: So back to Steven's -- in general, if you  
15 want to get it clearly on the record, and clear to all what  
16 your intent is, usually a motion is the best way. Then it's  
17 clear that everyone understands, because all the members vote  
18 on it. So I don't know if it's necessary here, that's for you  
19 to determine.

20  
21 MR. GINNIS: Well, I think we're making our position --  
22 I mean, I think I'm making my position clear on it, you know.  
23 How do you handle it from there, I guess, is really up to you.  
24 Now, you know, this argument about whether this is going to set  
25 a precedent just doesn't wash with me, okay? It doesn't wash  
26 with me, simply because there are other federal agencies, such  
27 as the Yukon River Panel, that are being compensated above and  
28 beyond their per diem rate. And certainly, you know, coming  
29 from a rural area and having to try to live on the little  
30 income that you give us here, it just doesn't -- you know, I'm  
31 not asking for \$200 a day, or something like that, you know;  
32 something to get by with, and that's all we're asking for. And  
33 I don't think that's much to ask for. And the price tag of  
34 150,000, I mean, heck, you know, you spend that just on doing a  
35 study. So, you know, I'm just asking that this thing go a  
36 little further than just a letter exchanging -- exchange of  
37 letter. I hope that somewhere along the line it might be  
38 appropriated actually into an appropriations of some sort.  
39 Thank you.

40  
41 MR. MILLER: Is there any more questions on ....

42  
43 MR. FLEENER: Well, would this be an appropriate time  
44 to make a motion, or should we wait for -- I guess this would  
45 be the appropriate time, if we wanted a motion to send a letter  
46 to that effect.

47  
48 MR. MATHEWS: Well, I think Steven concluded that he  
49 was comfortable. Tom is in charge of the whole program. Can't

50 go much higher, can we, Tom?

0060

1 MR. BOYD: Oh, yeah, you can.

2

3 MR. MATHEWS: Well, I mean, you can go higher, but he's  
4 the one that's going to -- well, he's in charge of the program,  
5 so I ....

6

7 MR. BOYD: Well, I'll just ....

8

9 MR. GINNIS: We start with Tom and go from there.

10

11 MR. BOYD: It's really something that the chairs have  
12 expressed directly to the board, so I'm operating on behalf of  
13 the board in doing their bidding, so I think this is something  
14 the chairs can continue, you know, if you desire. If you're  
15 looking for an avenue, that's one I would suggest you look at,  
16 is that the chairs continue, and the put an issue in front of  
17 the board.

18

19 MR. FLEENER: Well, maybe then what we can do,  
20 Mr. Chair, is to put this into our annual report, as an annual  
21 report item that we're still interested in pursuing this, and  
22 that'll go to the board then.

23

24 MR. MILLER: Any more questions?

25

26 MR. PHILIP TITUS: What kind of action? We're just  
27 going to put it in the annual report?

28

29 MR. MILLER: Yeah, that kind of puts it in Vince's  
30 ballpark there.

31

32 MR. PHILIP TITUS: That's all I wanted to know.

33

34 MR. MILLER: You got that, Vince?

35

36 MR. FLEENER: Well, we decide what goes in the annual  
37 report.

38

39 MR. MATHEWS: No, I don't decide what goes in the  
40 annual report. I just -- I'm the one that types it in. And I  
41 just noted it, so when we get to annual reports, these ideas,  
42 I'll bring them up to see if you still want them in there. And  
43 then the annual report comes back to you late winter, then you  
44 guys go up or down on it.

45

46 MR. FLEENER: I wonder how long will we take to go  
47 through the rest of agenda Item A?

48

49 MR. MATHEWS: The restructuring and that, it's up to

50 you. It probably could be about five to ten minutes. Oh, and

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1 she needs to change her tape.

2

3 MR. MILLER: Well, let's ....

4

5 MR. GINNIS: Mr. Chairman, let's just take a lunch  
6 break.

7

8 MR. MILLER: Yeah, let's go ahead and break for lunch  
9 for an hour, 1:30.

10

11 (Off record)

12

13 (On record: 1:40 p.m.)

14

15 (Lee Titus now present on panel)

16

17 MR. MILLER: Okay, I'd like to call this meeting back  
18 to order. Okay, we're on joint council chairs, Federal  
19 Subsistence Board meeting, chair staff reports.

20

21 MR. MATHEWS: Okay. Mr. Chairman, I think we're up to  
22 restructuring of the board, the alternates for restructuring of  
23 the board, which is under Tab D, as in Delta. And I don't  
24 remember if it's Tom or Bill that'll be ....

25

26 MR. BOYD: Either one of us.

27

28 MR. MATHEWS: Either one.

29

30 MR. BOYD: Bill's going to do this.

31

32 MR. KNAUER: I think I've just been nominated.

33

34 MR. MATHEWS: He's just been volunteered. Again, since  
35 it's been lunch, remember these were items brought up by the  
36 joint chairs. This is in process of responding to them, and  
37 this is a briefing on it, with some input.

38

39 MR. KNAUER: Mr. Chairman, as far as the issue of board  
40 restructuring goes, this was first brought up back in about  
41 1995 in two annual reports from regional councils, where it was  
42 recommended that the board be restructured at that time to be  
43 composed of the chairs of the regional councils. The issue was  
44 continued in 1996, and presented to the board at their November  
45 1996 joint board and chair meeting. The regional councils, at  
46 their April 1997 council and chair meeting, slightly modified  
47 the request, in that they endorsed the idea of reviewing the  
48 structure of the board by a team, and they requested that,  
49 rather than a board made up of the ten chairs, that a board



50 contain at least one chair. The task force that was to look at

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1 this issue of board restructuring was composed of Mitch  
2 Demientieff, Bill Thomas, Jim Kaplan of the Forest Service, and  
3 Dave Allen of the Fish and Wildlife Service. Mitch, of course,  
4 is the chair of the Federal Subsistence Board, and Bill Thomas  
5 is the chair of the Southeast Regional Council.

6  
7 The task force examined the issue and identified two  
8 very important constraints upon whatever structure the board  
9 becomes or remains. One relates to the delegation of  
10 authority. In order to promulgate regulations, they can only  
11 be promulgated by either a group composed of federal employees,  
12 or a federal employee. This would be -- could add serious  
13 considerations to a board, if it contained a number of  
14 non-federal employees. That would tend to shift the place  
15 where the rules were made to a higher level, which would  
16 probably mean Washington D.C., so that was a real concern.

17  
18 The other thing was, that if a board contained a number  
19 of non-federal employees, then with the shifting of rule making  
20 to a different level, that group then becomes an advisory body,  
21 and there are specific laws that relate to the establishment of  
22 advisory groups to the federal government. And there has been  
23 over the past ten years, a significant effort to reduce the  
24 number of advisory groups to the government, and to disallow  
25 the establishment of any new ones, unless they're specifically  
26 provided for in legislation. Now, it just so happens that the  
27 Regional Advisory Councils are specifically provided for in  
28 legislation. That's why they were able to be established.

29  
30 MR. FLEENER: Mr. Chair, I'd like to ask Bill a  
31 question. What about Mitch Demientieff's position? Is he  
32 considered an employee of Fish and Game -- excuse me, Fish and  
33 Wildlife Service?

34  
35 MR. KNAUER: Your other life is intruding here.

36  
37 MR. FLEENER: Yes, it is.

38  
39 MR. KNAUER: Mitch, during the time that he serves on  
40 the Federal Subsistence Board, is a federal employee.

41  
42 MR. FLEENER: And do you know how many hours that  
43 accounts for in a year?

44  
45 MR. KNAUER: No, I don't know the total number of  
46 hours, Mr. Fleener. Clearly, it's the time that he spends  
47 conducting business at the board meetings. It also -- there's  
48 some additional hours in preparation for those board meetings,  
49 but I don't have a number for you.



0063

1 MR. FLEENER: So it wouldn't be a gigantic amount,  
2 though. If we were to consider one of the chairs, it would  
3 be -- I mean, you're handing out options, but if it was done  
4 something like Mitch's position, he could just be put on with  
5 temporary hours and be considered an employee.

6  
7 MR. KNAUER: Certainly, the appointment of one would be  
8 much more feasible than the appointment of ten individuals.

9  
10 MR. FLEENER: Thank you.

11  
12 MR. KNAUER: The task force essentially identified  
13 three structures for a board that appeared to be the most  
14 likely. One was the existing board, one would be an existing  
15 board plus one regional council chair, and the other would be  
16 the existing board plus one subsistence user, and one state  
17 representative appointed -- this state representative would be  
18 appointed by the governor. But then it would be -- excuse me,  
19 nominated by the governor and then appointed by the secretary.  
20 And at this time, the board, in making the presentation to all  
21 of the regional councils, are asking for their comments on  
22 these three various structures, ....

23  
24 MR. BOYD: Or any others.

25  
26 MR. KNAUER: .... or any others that the councils might  
27 suggest.

28  
29 MR. GINNIS: Mr. Chairman? What other -- I mean, when  
30 this issue came out, I guess I kind of understand what the  
31 issue's about, but here on No. 2 you said at least one -- the  
32 recommendation is at least one of the regional council chair.  
33 Is that out of all the Regional Advisory Committees? I mean,  
34 there's 12 in the state, isn't there?

35  
36 MR. KNAUER: There are ten regional councils.

37  
38 MR. GINNIS: Okay.

39  
40 MR. KNAUER: And the -- I'll call it alternative No. 2,  
41 would be to have one of those chairs appointed by the secretary  
42 to serve on the Federal Subsistence Board.

43  
44 MR. FLEENER: Mr. Chair? What the intent of the ten  
45 chairs that met at that was that they form a, kind of like  
46 another group consisting of just the chairs, and we elected a  
47 chair to chair the meeting of the chairs. And so this person  
48 is who we considered would be the one to sit with them, but it  
49 doesn't sound like that by what you're saying. What you're

50 saying is selected by the Secretary of Interior. Does that

0064

1 mean that he will select out of one of our ten chairs for that  
2 option?

3

4 MR. KNAUER: It would be the individual nominated by  
5 the chairs, ....

6

7 MR. FLEENER: Okay.

8

9 MR. KNAUER: .... who would then be appointed by the  
10 secretary.

11

12 MR. FLEENER: The intent of the chairs was to have the  
13 chair of the chairs, though, so ....

14

15 MR. GINNIS: Are you done with your presentation on the  
16 restructuring?

17

18 MR. KNAUER: Unless there are any questions, yes.

19

20 MR. GINNIS: Well, I'll move to follow the  
21 recommendation of No. 2, that the existing board plus at least  
22 one of our regional council chairs be nominated by the regional  
23 council chairs and appointed by the Secretary of Interior.  
24 That's a motion.

25

26 MR. MILLER: Do I hear a second?

27

28 MR. GOOD: I'll second it.

29

30 MR. MILLER: Okay, seconded by Nat Good.

31

32 MR. LEE TITUS: So that you're making a motion to go  
33 along with No. 2?

34

35 MR. GINNIS: Yes.

36

37 MR. GOOD: I have a question, Mr. Chairman.

38

39 MR. MILLER: Go ahead, Nat.

40

41 MR. GOOD: No. 3 adds a state representative. What's  
42 the rationale behind that?

43

44 MR. KNAUER: The state -- under the current structure,  
45 the state is currently a liaison to the board, as are the  
46 chairs. And this was presented as an option here that shows  
47 balance between all interest groups and user groups.

48

49 MR. GOOD: Mr. Chair?



0065

1 MR. MILLER: Go ahead.

2

3 MR. GOOD: Would the state want such a position?

4

5 MR. FLEENER: Or did the state even -- did they have  
6 input into this?

7

8 MR. BOYD: No, it did not. These are three options  
9 that were developed. Certainly there are additional steps that  
10 would have to take place for something like this to happen.  
11 Obviously, one would be to ....

12

13 MR. FLEENER: Ask the state.

14

15 MR. BOYD: .... ask the state. I think at this point,  
16 this is in the early stages of looking and developing options.  
17 The next step is what we're into right now, and that's  
18 soliciting input from the council on these views. That then  
19 goes back to this committee, and they're going to develop a  
20 recommendation that'll go before the board, based on input that  
21 they receive, and maybe further thinking and analysis on this.

22

23 MR. GINNIS: Vince, have other regional councils taken  
24 action on this?

25

26 MR. BOYD: Yes, this is an agenda item at all of the  
27 Regional Advisory Council meetings this fall.

28

29 MR. GINNIS: So what were their -- where did you just  
30 come from? What ....

31

32 MR. MATHEWS: Well, Western Interior, I need to get  
33 confirmation from Tom, but Western Interior was concerned - I  
34 need him to verify the bottom line - but they were concerned --  
35 expressed concern that if there was council chair on there,  
36 that that person would have to wear two hats. When they're  
37 serving on the board as a board member, they'd have to take off  
38 their regional council hat, because they'd have to be looking  
39 at things statewide and not just from their region perspective.  
40 Then when their region came up, they'd have to switch hats. I  
41 may have been pulled out of the room when they made their final  
42 decision, because I'm not sure where they finally came down on  
43 the recommendation on which alternative.

44

45 MR. BOYD: The Western Interior recommended the  
46 existing board stay in place.

47

48 MR. MATHEWS: And I have not talked to the other  
49 coordinators. Tom may have, or Bill, or others, for the other



50 regions. Seward Pen is meeting this week.

0066

1 MR. BOYD: These are the last two council meetings.

2

3 MR. MATHEWS: Okay. So just -- so one more has not  
4 met. So I have not talked to Southeast or North Slope, or  
5 whatever, their feelings.

6

7 MR. BOYD: I don't have a tally in front of me, but  
8 based on my recollection, the Western Interior's position was  
9 they felt like the existing board was accommodating to their  
10 interests and needs. And the bottom line for them was, if it  
11 ain't broke, don't fix it. I can quote one of their members  
12 saying that. The Bristol Bay Council viewed it pretty much the  
13 same way. I think the Southeast Council went with I think  
14 option 2. But there are a variety of views, I'll just say  
15 that, amongst the councils. Some wanted No. 3, some wanted  
16 No. 2, and some wanted No. 1, so it's not unanimous by any  
17 stretch. And there were various reasons for picking each one  
18 of those. I think the majority of them fall somewhere between  
19 1 and 2, though.

20

21 MR. FLEENER: That's really strange, because there  
22 seemed to be quite a bit of unanimity among the chairs at the  
23 meeting. That's interesting.

24

25 MR. MILLER: What was their -- were they approached  
26 with this, too?

27

28 MR. FLEENER: Well, we were the ones who brought this  
29 recommendation forward, and they wanted to have -- at first  
30 they wanted it to be composed of the ten chairs, but we  
31 considered that that wouldn't really be very fair, and that it  
32 might result in some arguments amongst the chairs for different  
33 things, and that we wanted to pretty much stay united and just  
34 have one of our representatives go forward. And not being too  
35 concerned about the idea of the dual hat thing, because every  
36 chairman does the same thing. Every chairman acts as -- takes  
37 off one hat to do the other job, so that wasn't, you know, a  
38 bothersome consideration. I'll call for the question.

39

40 MR. MILLER: Okay, question's been called for. All in  
41 favor, signify by saying aye.

42

43 ALL MEMBERS: Aye.

44

45 MR. MILLER: Opposed? Motion carries.

46

47 MR. MATHEWS: Okay. That brings us up to memorandum of  
48 agreement with Alaska Department of Fish and Game. And that's  
49 under Tab E, as in Everett. And Tom's going to present that,

50 and there are state people here also.

0067

1 MR. BOYD: We are currently involved, when I say we,  
2 the Federal Subsistence Board, has directed the staff to move  
3 forward with discussions with the state to develop improved  
4 interagency working relationships that would benefit both  
5 federal and state efforts to manage healthy fish and wildlife  
6 resources and meet the needs of subsistence users. And kind of  
7 the underlying theme here is to improve and to create benefits  
8 for the users. Specific benefits that we're looking at are  
9 councils and subsistence users. To councils and subsistence  
10 users would be to reduce confusion between federal and state  
11 programs, to improve wildlife information presented to the  
12 councils, and to improve proposal analyses. To kind of give  
13 you some background, back in '96, the Department of Fish and  
14 Game proposed the development of a memorandum of agreement as  
15 sort of an instrument that would at least formalize, if you  
16 will, cooperation between the federal subsistence program and  
17 the state's program. This would sort of revive attempts early  
18 in the federal program back in 1990 and 1991, to develop a -  
19 I'll use the word, memorandum of understanding, if you will -  
20 but a formal mechanism for cooperation between the two  
21 entities. That didn't happen then for a variety of reasons.  
22 And I think over time we've learned that cooperation was  
23 ongoing, at least at the staff and field levels, and that we  
24 needed to do a better job at the program levels to, you know,  
25 integrate the two programs to the extent that we could to, as  
26 I've said earlier, to benefit the users.

27  
28 The State Department of Fish and Game wrote us a  
29 letter, and they identified some objectives that they wanted to  
30 see included in some kind of a formal mechanism for  
31 coordination. And these are at the bottom of that first --  
32 that second paragraph, labeled "background," and I'll just sort  
33 of briefly read them. One, improved interaction between state  
34 and federal regulatory systems and improve public involvement  
35 in the regulatory processes. And the second one is to increase  
36 involvement by the state in the federal regulatory process.  
37 Three, appropriate compensation for state assistance to Federal  
38 Subsistence program. And four, development of the general  
39 coordination plan that would guide the development of area  
40 specific subsistence resource management plans. I'm going to  
41 underscore that these were the desires of the Department of  
42 Fish and Game, and it sort of became the starting point for  
43 discussions, if you will. None of these goals have been  
44 endorsed by the federal subsistence board at this time, but  
45 again, it was an expression of the state to us as to areas that  
46 they would like to explore mutual agreement or coordination.

47  
48 As a result of that initiative by the state, we  
49 elevated this to the Subsistence Board, Federal Subsistence

50 Board, in January of '97, and the board endorsed, or I should

0068

1 say, approved us to take the next steps at the staff level to  
2 try to develop areas of mutual understanding and cooperation.  
3 There was a meeting just recently of a joint working group of  
4 the Department of Fish and Game and the Federal Subsistence  
5 Board, or Federal Subsistence program representative, and that  
6 was last May. And the idea here was to review issues and  
7 develop recommendations to be considered by both the  
8 Commissioner of Fish and Game and the Federal Subsistence  
9 Board. This working group has met once. There are other  
10 future meetings planned. The working group consists of, on the  
11 state side, representatives of the Divisions of Subsistence,  
12 Wildlife Conservation, Commercial Fisheries, and Sport Fishing.  
13 And there are four federal members, three of which are staff  
14 committee members, and they represent three different agencies,  
15 and one is a representative from the Office of Subsistence  
16 Management Fish and Wildlife Service.

17  
18 I think I misspoke, that first meeting was actually on  
19 July 29th of this working group. The meeting was sort of set  
20 up to develop some working understandings or ground rules for  
21 meeting, and how the group was going to conduct its work, and  
22 to develop some mutual general understanding of the State and  
23 Federal Subsistence management processes, and the issues to be  
24 addressed. I might just go straight to a list that you'll find  
25 on page 2 under Tab E. The group identified some areas for I  
26 guess further work or further discussions, and those are listed  
27 on page 2, if I could just list them now: Closer alignment of  
28 the state and federal proposal cycles to improve coordination;  
29 closer coordination of the subsistence resource surveys and  
30 studies and improved information exchange between the agencies;  
31 Fish and Game Advisory Committee representation at regional  
32 council meetings; joint production of regulation booklets and  
33 other public information material; increased Fish and Game  
34 participation in the preparation and/or review of proposals;  
35 analyses to ensure technical information is complete and  
36 appropriately presented; involvement of Alaska Department of  
37 Fish and Game representatives in staff committee meetings to  
38 ensure information from the state used in analyses is complete  
39 and accurately characterized; and development of a  
40 state/federal coordination plan that will guide joint  
41 subsistence management planning efforts.

42  
43 None of these, again, are set in stone. Nothing has  
44 been approved. Nothing is final at this point. This is simply  
45 a list for further exploration and discussion. We're putting  
46 this before all of the regional councils to keep you informed  
47 as we move forward, but to also get your input so that we can  
48 use that in these discussions.

49

MR. FLEENER: Mr. Chairman? I know that this council

0069

1 and the chairs on numerous occasion have asked for a lot of  
2 things that are pointed out here; closer alignment of proposal  
3 cycles, we've asked for closer coordination of surveys and  
4 studies to improve information exchange, because getting two  
5 different types of information from two different agencies  
6 managing the same moose that's running across a boundary line,  
7 is pretty confusing. And Fish and Game Advisory Committee  
8 representation, a lot of times we have that automatically, but  
9 that would be nice. And the joint production of regulation  
10 booklets, you know, that's definitely been something that  
11 people have talked about. Now, the others ones on the end of  
12 there, I don't recall having heard about, but I know that we've  
13 asked for a lot of these things.

14

15 MR. GINNIS: Mr. Chairman?

16

17 MR. MILLER: Go ahead, Steve.

18

19 MR. GINNIS: You know, I've got some sort of a  
20 memorandum of agreement here trying to be developed. But  
21 there's one thing here that I think that needs -- I would like  
22 to express my concern about, is that there's no consultations  
23 here with tribes. And like for instance, the closer  
24 coordination of subsistence resource surveys and studies, and  
25 improved information exchange between the agencies and tribal  
26 organizations, or 638 contracting tribes, however you wish to  
27 say it there. I think it would be a good idea, because, you  
28 know, I think that coordinating or consultation with tribes has  
29 got to be included somewhere in here. It's something that  
30 we've been talking about, and I think it's something that we  
31 talk about in terms of co-management. So I would like to see  
32 something in this working agreement that includes tribal  
33 organizations.

34

35 MR. BOYD: We've received similar comments from the  
36 other councils.

37

38 MR. GINNIS: So what do you need here? Do you need  
39 some sort of action, or you need a motion, or ....

40

41 MR. BOYD: I think we want to hear your comments, and  
42 we're going to capture those and take them back to the working  
43 group. I think the idea is to involve the councils to the best  
44 that we can in this process as we move forward. I don't think  
45 we're necessarily looking for motions, but that's something you  
46 may want to consider.

47

48 MR. NICHOLIA: Mr. Chair?

49



MR. MILLER: Go ahead, Gerald.

0070

1 MR. NICHOLIA: I like this idea of joint production of  
2 regulation booklets, because there's a lot of people that go  
3 out there and they have to go through the state regulation  
4 booklet and the federal regulation booklet, and that causes  
5 lots of confusion out in the field.

6  
7 MR. LUKE TITUS: Mr. Chair?

8  
9 MR. MILLER: Go ahead, Luke.

10  
11 MR. LUKE TITUS: Did you state that most of these  
12 recommendations were brought up at the committee level by the  
13 state?

14  
15 MR. BOYD: Some were brought up by the state, and some  
16 were brought up on the federal side. There were ideas that  
17 this working group, consisting of federal and state  
18 representatives, agreed as a starting point for discussion  
19 purposes, developing a formal mechanism for cooperation, like a  
20 memorandum of agreement.

21  
22 MR. LUKE TITUS: I know that Senator Stevens recently  
23 introduced a bill in Congress pertaining to subsistence, and I  
24 think there's something -- nobody has a clear -- I don't know  
25 of anybody has the actual written language of the bill, as of  
26 today. I mean, it was a bill that was done behind closed doors  
27 without any kind of input from the people from Alaska. And I  
28 don't know if this -- talking about this MOA between the  
29 federal and state has -- I mean, I don't know if our discussion  
30 here is going to be null and void until we get the wording of  
31 that bill. And from my understanding, it was a rider bill  
32 which pertains with a lot of other issues. And going through  
33 the committees and the hearings, they dealt with everything.  
34 Everything was written off except subsistence, and the bill  
35 ended up with just waiting for the president to be signed with  
36 just subsistence in the bill.

37  
38 And I don't know, we're talking about MOA between the  
39 federal and state. We wouldn't know until we get a copy of  
40 that bill. And I think that -- I don't know, I have  
41 conflicting ideas about MOA's between the federal and the  
42 state, especially when like Steve says there's nothing  
43 pertaining to the local communities. Doesn't seem like there's  
44 going to be any kind of involvement. I know from my  
45 understanding and the bill that Senator Stevens pushed through,  
46 there was a lot of things that took away from the local  
47 communities the authority. And there's something in there  
48 about co-management. And I don't know, I can't go along with  
49 any kind of MOA as of right now, until there's something

50 written in stone.

0071

1 MR. MILLER: Vince, do you have any idea the bill  
2 that's ....

3  
4 MR. MATHEWS: Well, yes and no. The bill would be part  
5 of the package of dealing with the governor's task force to get  
6 the state to be in compliance with ANILCA, so there can be  
7 unified management. If that bill passes and goes forward, that  
8 would not take effect until the other components of that  
9 package - unless I'm wrong on this and someone will correct  
10 me - the other components that the state has to do; change the  
11 state statutes and it's regulations, and the amendment of the  
12 Constitutional Amendment. So Lee is bringing up some good  
13 points, but this MOA - and Tom will correct me if I got it  
14 wrong - is addressing as we stand now, not as what might be  
15 with the passage of bills that would not take effect until  
16 December of '98.

17  
18 MR. BOYD: This effort to better coordinate between the  
19 federal and state programs, assumes the Federal Subsistence  
20 Program is ongoing. I don't think any of us, and I think Lee  
21 correctly points out, we have no idea what the future's going  
22 to hold, or whether or not the state will regain compliance  
23 with ANILCA. It assumes we're going to be in this business  
24 from now on, and we need to start looking at ways of better  
25 coordinating the two programs. And again, the goal is to the  
26 benefit of the users, because you've got two government  
27 agencies, if you will, or entities, that are fairly significant  
28 players in the wildlife management arena in the state, and  
29 there is a very definite need to figure out ways to better  
30 coordinate and cooperate. And that's what it's about, in a nut  
31 shell.

32  
33 MR. FLEENER: Mr. Chairman, I can see myself agreeing  
34 with -- yeah, agreeing with an MOA, as long as what Steve  
35 pointed out takes place, that there are tribal resource  
36 managers involved. And we have to act like it is going to keep  
37 going on, you know, or else you can't run an operation thinking  
38 you're going to be done in one year. We have to act like we're  
39 going to keep on going, and hope that things will be settled,  
40 but we have to keep acting like it's not going to be settled  
41 for a long time, you know. And we can't talk about, well, we  
42 might not be here in two years, so we don't need to pass these  
43 types of things. We need to act like it's going to keep on  
44 going for a while.

45  
46 MR. GINNIS: Mr. Chairman?

47  
48 MR. MILLER: Go ahead.

49

MR. GINNIS: I just wanted to say that I don't think

0072

1 that what's going on politically with the subsistence issue  
2 really doesn't have much bearing on this memorandum of  
3 agreement. The thing that we're trying to impress here is a  
4 little more working relationship between the federal managers  
5 and those in the state system. And I think that's what we're  
6 trying to address here. But in terms of that Senator Sevens'  
7 amendment, you know, I was in Washington D.C. a week prior to  
8 when he introduced this legislation. Now, I think it's  
9 important to remember that these amendments don't take effect  
10 until the legislature actually acts on the Constitutional  
11 Amendment. So there's a condition here, you know. So I think  
12 that needs to be noted. The other thing is that the legal  
13 review done by most attorneys, Native people that were --  
14 attorneys that work for Native people, there's at least six net  
15 losses in that bill. And so, you know, just looking at it,  
16 it's not -- anybody that says it's something that we could live  
17 with, has got to be out of their mind. So currently, the way I  
18 understand it, is that there's a presidential veto that's being  
19 requested, that was hand delivered during a meeting that took  
20 place between the Alaska Federation of Natives and some people  
21 in the White House.

22  
23 So I don't know what the status is there regarding that  
24 presidential veto request, but like Lee was saying, it's this  
25 legislation who has tapped onto an appropriations bill. And  
26 that's one of the objections that the Native people are having,  
27 is that it didn't go through the normal process where it would  
28 be introduced as legislation, and then there would be hearings,  
29 and, you know, the whole thing. And this bill just didn't --  
30 you know, it wasn't presented in that way, as most people know.  
31 So, you know, that's the objection that the Native people have  
32 regarding this bill. Later on, I will talk a little bit about  
33 the subsistence issue from the way I understand it, and from  
34 the involvement I've had in it from the Governor's Task Force  
35 proposal to the hearings that are being held by the Senate  
36 Resource Committee. In fact, they're having one in Galena  
37 here, Friday, from 9 to 5. And I know that Tanana Chiefs has  
38 made available funding for up to 20 villages to attend, you  
39 know, paying their travel. And I plan to be there. I need to  
40 do testimony on AITC's position. So I guess, as far as I'm  
41 concerned, that this memorandum of agreement, I don't think  
42 really has a bearing on what's really going on politically in  
43 regards to the subsistence issue.

44  
45 MR. MILLER: Go ahead, Philip.

46  
47 MR. PHILIP TITUS: My concern is that one entity don't  
48 give away what they can't give away. Like say, one got more  
49 liberal rules and regulations than the other, and these guys --

50 these outsiders will come and use that regulation to deplete

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1 the resources that the rural people live on. And that's a  
2 concern for me. And that's about it.

3  
4 MR. MILLER: Go ahead, Vince.

5  
6 MR. MATHEWS: Maybe I can help you through here and  
7 capture what we got so far, and see if you agree. Under the  
8 list of items on that second page that had the stars next to  
9 them, you seem to support closer alignment of state and federal  
10 proposal cycles, correct? You seem to support closer  
11 coordination of subsistence resource surveys, studies, improved  
12 information exchange, correct? You seem to ....

13  
14 MR. GINNIS: Yeah, with the consultation of tribes.

15  
16 MR. MATHEWS: Okay, that's what we needed to hear. And  
17 then you support closer coordination and working with local  
18 Advisory Committees? And you support joint production of  
19 regulation booklets and other public information. You have --  
20 that's what I've heard so far. I've heard no comments on the  
21 remaining three of, Alaska Department of Fish and Game  
22 participation in proposals, preparation -- you know, the  
23 analysis, the preparation there of it, representatives of Fish  
24 and Game on the staff committee, and no talk about the state  
25 and federal coordination plan. Doesn't mean you have to give a  
26 yea or nay on each of those, but I want the record to clearly  
27 reflect what you do support, and then you can address those if  
28 you want, or just make it clear that the record supports the  
29 four items.

30  
31 MR. FLEENER: Mr. Chairman?

32  
33 MR. MILLER: Go ahead, Craig.

34  
35 MR. FLEENER: Yeah, I can also say that I think that  
36 increased ADF&G participation in reviewing proposal analysis,  
37 because it's my experience working with Fish and Game, is that  
38 they have some of the best biologists in the country. And we  
39 may not agree with them politically in a lot of cases, but they  
40 do have some good biologists that can provide some good  
41 analysis, and I think that I'd like to see their analysis at  
42 our meetings. And that's a nonpolitical thing, it's technical.  
43 You know, they're providing technical assistance to making --  
44 so we can make the best decisions based on all the information  
45 that we receive.

46  
47 MR. MATHEWS: So if I understood that, the council  
48 would support review of proposal analysis?

49





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1 MR. FLEENER: Well, I do. You'd have to ask the rest  
2 of them.

3  
4 MR. LEE TITUS: How is this going to be done? Is the  
5 federal government going to write their own proposal and their  
6 analysis on certain issues, and then send it to the State  
7 Department and have them look at it, or are you guys going to  
8 sit in a room together and go through these proposals?

9  
10 MR. BOYD: I can't tell you what the final outcome of  
11 this will be, Lee, in terms of how it might be done. But the  
12 two ideas that you just raised are possible, where we would  
13 send them -- send the state our proposal analyses, and allow  
14 them to review and comment on it. Or there may be a meeting to  
15 discuss certain proposal analyses to get their input.

16  
17 MR. FLEENER: Doesn't that already take place to a  
18 certain extent?

19  
20 MR. BOYD: To a certain extent it takes place currently  
21 on an informal basis, where a biologist -- two biologists'  
22 discussion might occur, or exchange of information. And we're  
23 talking now about some -- maybe a more formalized approach.  
24 You know, at times we get what I call interpretation conflicts  
25 between two experts, if you will. And we want to try to  
26 resolve those conflicts before they get to you, and before they  
27 get to the board. And the whole idea here is so that you're  
28 not sitting here listening to one biologist say one thing, and  
29 a federal biologist saying another, and you're having to sort  
30 it out. We may not be able to come to an agreement on certain  
31 issues, but the idea is to try to figure out a way that we can,  
32 you know, better serve you, our common customer.

33  
34 MR. GINNIS: Mr. Chairman? Is this memorandum of  
35 agreement going to come back to the council here; I mean, when  
36 it's -- ....

37  
38 MR. BOYD: I think it's our intention -- I'm sorry.

39  
40 MR. GINNIS: .... whenever it's ready? We're just  
41 discussing this to find out whether we support the concept or  
42 not.

43  
44 MR. BOYD: That's right.

45  
46 MR. GINNIS: And that the actual document or whatever  
47 is going to come back here for further review?

48  
49 MR. BOYD: Our intent is to keep the councils informed

50 and in the loop on every step of the way. We're just getting

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1 started with discussions with the state to see where we can  
2 agree right now, and then we intend to bring it back to the  
3 councils. But I don't think either side -- both sides  
4 recognize in this that we can't make this work without the  
5 councils being involved and supporting, so that's why we're  
6 coming to you now, and we intend to come to you later as this  
7 moves forward. If a document is prepared, like a memorandum of  
8 agreement, or some other document, I think a draft of that will  
9 have to come back to you.

10  
11 MR. MATHEWS: Maybe I ought to just lay out the way  
12 it's done now and the way this may look. The way it's done now  
13 is, he mentioned the biologist would coordinate with the other  
14 state area biologist in drafting the analysis. And they work  
15 pretty close on practically all of them. I'll just use biology  
16 as an example. Then there's a draft analysis which is given at  
17 the meeting that's coming up in February. So that's how that  
18 goes. There's peer to peer consultation on the write-up.  
19 Under this proposal would be, the state would be involved in  
20 that draft analysis before it came to you. So it might make it  
21 make a little bit more clear before hand, but they would have  
22 the draft analysis before you would have it, so they could have  
23 their input on it. They receive -- to my knowledge, I believe  
24 they receive the same materials you receive, and that draft  
25 analysis for the spring meeting, they receive that at the same  
26 time you do.

27  
28 MR. BOYD: Again, these are concepts right now. We're  
29 still working through them. We don't even know how we're going  
30 to do some of these, if we can even do them successfully. But  
31 the idea is we want to explore them and we want to get your  
32 input as we do that.

33  
34 MR. MILLER: Is that it for that, Vince?

35  
36 MR. MATHEWS: Well, the next one you may or may not  
37 want to comment on, is that there would be a Fish and Game  
38 representative on the staff committee. To get everybody up to  
39 speed on what that means, is that the board has its own staff  
40 person that advises them. They meet, you know, we roll up our  
41 sleeves and really work through the stuff ahead of time. This  
42 suggestion here is that, in that staff committee meeting, there  
43 would be a State Fish and Game person there.

44  
45 MR. BOYD: Not on the committee.

46  
47 MR. MATHEWS: Well, present.

48  
49 MR. BOYD: Present to provide input, but not on the

50 committee.

0076

1 MR. FLEENER: Mr. Chair, does the Fish and Wildlife  
2 have a person present at the state's -- do they have something  
3 like a staff committee that goes over their stuff, and does  
4 U.S. Fish and Wildlife have a person represented there?

5  
6 MR. BOYD: Well, it's a totally different process, I'm  
7 sure, and I couldn't speak to that. Yeah.

8  
9 MR. MATHEWS: No, we don't ....

10  
11 MR. BOYD: Yeah. There's not a -- it's not a parallel  
12 system in that regard.

13  
14 MR. FLEENER: So are you looking for a response from us  
15 on each one of these bulleted items?

16  
17 MR. MATHEWS: No, I just want to make it clear on the  
18 record. I suppose what I'm saying is my yellow flags are up on  
19 this. This is a very sensitive issue when we're dealing with  
20 negotiations between two governments, in addition to all this  
21 other stuff going on. I want it clear when people leave this  
22 room what you support, so ....

23  
24 MR. FLEENER: So the staff -- this person going to the  
25 staff committee meetings would be there to provide information,  
26 just like they would be to any other type of meeting that's  
27 open, providing information. So that's not really -- that's  
28 only asking if we support someone being there to answer  
29 questions or to provide information, basically. I mean, if  
30 they're not part of the staff committee, then it's not a  
31 real -- shouldn't be a big issue. They're just there to  
32 provide additional information. Is that true? Am I guessing  
33 the wrong way?

34  
35 MR. BOYD: Well, I think that's the concept.

36  
37 MR. FLEENER: Okay. I wasn't sure. Everybody was  
38 looking the wrong way. I didn't know what was going on.

39  
40 (General laughter)

41  
42 MR. BOYD: Well, you were having a nice conversation  
43 with Vince, so I ....

44  
45 MR. FLEENER: I didn't know who I was talking to. I  
46 was just kind of "conversating." So yeah, I don't have an  
47 objection to -- I mean, if that committee doesn't mind having  
48 additional information, I don't see it as a problem for myself.  
49

MR. GINNIS: Mr. Chairman? You know, thinking about

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1 this Fish and Game Advisory Committee representation at these  
2 meetings, I think it works the other way, too. You know, we  
3 need some representation at the advisory committee also; the  
4 State Fish and Game Advisory Committee. Because I can see  
5 where, you know, sometimes regulatory changes are introduced  
6 here. But that information eventually gets to them. That's  
7 where they -- you know, they basically follow it through, the  
8 way I understand it. So I think it works both ways, this  
9 representation at these meetings.

10  
11 MR. BOYD: That's a comment that I think we received  
12 before, Steve, and it's one that we've talked amongst ourselves  
13 about that there should be some, I'll use the word,  
14 reciprocation. If the state's going to be involved really in  
15 this process, then there should be some federal involvement in  
16 the state's process. How that might work out, I don't know, if  
17 it's at the advisory level or even prior to Board of Game,  
18 Board of Fish deliberations. But that's something I think we  
19 could add to these discussion points, and ....

20  
21 MR. GINNIS: Yeah, but here I think what -- we're not  
22 talking about staff, we're talking about people that serve on  
23 these boards, the way I understand it.

24  
25 MR. BOYD: No, we're talking about staff here; all of  
26 this, staff to staff interactions. Yeah, we're not ....

27  
28 MR. GINNIS: Well, I'm -- you're not talking the same  
29 language I'm talking, then.

30  
31 MR. BOYD: Okay.

32  
33 MR. GINNIS: I suppose I'm talking about representation  
34 of Fish and Game Advisory Council members and Regional Council  
35 members.

36  
37 MR. BOYD: Okay.

38  
39 MR. GINNIS: That's what I was referring to. You're  
40 talking about staff ....

41  
42 MR. FLEENER: That's what I thought this meant, too.

43  
44 MR. BOYD: Well, that is the third element. I mean,  
45 maybe we're on a different element in here.

46  
47 MR. GINNIS: Well, I'm talking about this issue here of  
48 Fish and Game Advisory Committee representation at Regional  
49 Council meetings. Now, what's that supposed to mean? What's



50 that supposed to mean?

0078

1 MR. BOYD: Well, you're right Steve.

2  
3 MR. GINNIS: Okay. And all I'm suggesting is that it  
4 needs to go both ways, okay?

5  
6 MR. BOYD: Okay.

7  
8 MR. GINNIS: I mean, the representation needs to be at  
9 the advisory Fish and Game level also.

10  
11 MR. FLEENER: I think that exists already. All it is  
12 is an invitation, will you please come to our meeting, right?  
13 I mean, ....

14  
15 MR. MATHEWS: Right. And we try to consult ....

16  
17 MR. FLEENER: .... that's pretty simple.

18  
19 MR. GINNIS: No. Mr. Chairman, the point I'm trying to  
20 make here is that if we're going to ensure that some regional  
21 council member from here is going to attend the Yukon Flats  
22 Advisory Committee, it's more than just making a commitment.  
23 It's ensuring that that individual actually has their travel,  
24 or the per diem, et cetera, taken care of. I mean, that's the  
25 issue here.

26  
27 MR. MATHEWS: We have that option. What it would be is  
28 the council would have to take the position that they want a  
29 member at a meeting, then I would run it by Tom, and sweat in  
30 his office for a few minutes and see if the money can come out.  
31 But it would have ....

32  
33 MR. GINNIS: Oh, you got the money.

34  
35 MR. MATHEWS: .... to be issue generated.

36  
37 MR. BOYD: Let me just say this: That option is open  
38 even right now. If there are issues of mutual concern, we sort  
39 of have to use some discretion, because the limiting factor is  
40 budget. But if there are issues of mutual concern, we've been  
41 pretty open about allowing council members to travel to  
42 committee meetings, for example. Or vice -- not vice versa,  
43 but obviously to try to bring people together is the thing  
44 here, and we've been pretty open about doing that. I mean,  
45 that's an option that exists right now. But I think what  
46 you're saying, in terms of concepts for consideration, is  
47 whether or not that should be in writing in a formal  
48 coordination document, like an MOA; that we should look at  
49 regional council members also traveling to local Fish and Game

50 Advisory Committee meetings. Sort of working both ways.

0079

1 MR. GINNIS: Well, yeah, I think that we should ....

2  
3 MR. BOYD: And the way it's written right now, it's one  
4 way.

5  
6 MR. GINNIS: And if we were going to do this, we need  
7 to appoint somebody from this council to actually attend these  
8 meetings. And there's advisory Fish and Game committees all  
9 over the place; there's one in Fairbanks, one in Yukon Flats,  
10 one in -- I mean, this guy could be busy just traveling around  
11 to these meetings.

12  
13 MR. FLEENER: Well, Mr. Chair, I don't think I'd like  
14 to appoint one person. I think if it's centered in the Yukon  
15 Flats, then one of the Yukon Flats people should go. If it's  
16 centered around Tanana, someone from that area should go,  
17 probably.

18  
19 MR. GINNIS: I don't know, you got the message, I hope.

20  
21 MR. BOYD: Got it.

22  
23 MR. GINNIS: We're on the same level?

24  
25 MR. BOYD: Yup.

26  
27 MR. GINNIS: Okay.

28  
29 MR. BOYD: I was down below you on this list. I didn't  
30 get focused until you started talking. Sorry.

31  
32 MR. GINNIS: Oh. Well, I thought we were talking about  
33 Fish and Game Advisory Committees. Maybe you're someplace  
34 else. But anyway, ....

35  
36 MR. FLEENER: Sounds like we have a general support for  
37 this. Let's move on.

38  
39 MR. MATHEWS: And that you want it back before you in  
40 final form, and that you want some kind of draft form, some  
41 kind of comparable on the state side that there would be  
42 combinations to incorporate regional council and federal  
43 involvement in their board process also.

44  
45 MR. LEE TITUS: Mr. Chair?

46  
47 MR. GINNIS: Go ahead.

48  
49 MR. LEE TITUS: Does that mean you're going to send us

50 a coordination plan between the federal and the state?

0080

1 MR. MATHEWS: Lee, I can send you anything. I don't  
2 know -- yes, there'll be some follow-up on this. I don't know  
3 when that'll be, but I envision it's going to be before you  
4 next meeting, and then we'll be going over that. That's the  
5 plan I I've heard.

6  
7 MR. BOYD: Through the winter, we can hopefully develop  
8 some additional materials as this process moves along.

9  
10 MR. FLEENER: Letter D.

11  
12 MR. MILLER: We're back to the agenda now?

13  
14 MR. MATHEWS: Okay. The next agenda item, maybe we can  
15 make it a little livelier. That was a mistake to put it on  
16 there, the next agenda item. I kind of jumped the gun there.  
17 The next item is to talk about consent agenda. And Lee wasn't  
18 here in the morning, and I don't know if Ginnis was here when  
19 we talked about this. This really should come up at your next  
20 meeting. It's a tool to use to streamline meetings, and the  
21 board is exploring using it. Consent agenda is, if everybody  
22 agrees to the recommendation or the proposal in itself, it goes  
23 into a group of proposals and then those are moved and acted on  
24 rapidly, and not discussed. So anyway, that's where that is  
25 at, and it's really for the next meeting that you would talk  
26 more about it. And it's really on to your chair or  
27 representative that goes to the meeting to be aware of this  
28 consent agenda and his power to pull things off the consent  
29 agenda or move things on the consent agenda, possibly. So that  
30 was a mistake to put it on there, but ....

31  
32 MR. FLEENER: Mr. Chair? So you're just asking us if  
33 we support the concept of consent agenda?

34  
35 MR. MATHEWS: Yeah, and we'll talk more about it at the  
36 next meeting, we'll flush it out more. But it's kind of ....

37  
38 MR. FLEENER: Well, a consent agenda is a pretty simple  
39 concept. I mean, all we have to do is say whether or not we  
40 support putting proposals on a consent agenda. We're not  
41 talking about individual proposals right now, we're just  
42 talking about the concept of a consent agenda.

43  
44 MR. MATHEWS: The concept, correct. Correct.

45  
46 MR. FLEENER: I don't see why we have to wait for next  
47 meeting to do that, unless you want to provide us with more  
48 information.

49

MR. MATHEWS: Yeah, well, ....

0081

1 MR. FLEENER: There's not much to think about with  
2 consent agenda.

3  
4 MR. BOYD: I think we're just giving you a heads up.  
5 The board is considering doing this for their board meetings,  
6 for the Federal Subsistence Board meetings, to try to  
7 streamline those meetings. If you have objection to that, then  
8 they want to hear about it before they decide to do that, or if  
9 you have some concern or other comment. But it's like you  
10 said, it's the concept.

11  
12 MR. GINNIS: Mr. Chair?

13  
14 MR. MILLER: Go ahead, Steve.

15  
16 MR. GINNIS: Under consent agenda, like this -- how  
17 does the public know what we're actually -- I mean, what we're  
18 talking about? If we already agree in advance of what we're  
19 going to -- I mean, it's basically like rubber stamping  
20 something. You know, we're just going to go through this thing  
21 and just, you know, stamp it, go to the next one, stamp it, and  
22 people out here is going to be totally lost. They wouldn't  
23 know exactly what we're doing here. So I guess that's the  
24 thing that I would like to raise, is how is that going to be  
25 dealt with, you know, a consent agenda? And then I don't like  
26 what he had to say, that the chair could just move, or  
27 whatever, the things off and on the agenda, or something like  
28 that he said.

29  
30 MR. MATHEWS: Well, what I meant by that is, let's say  
31 there was four proposals that everyone lined up, and the chair  
32 from this council felt that that needed to be discussed more by  
33 the board, even though everyone aligned up, there was some  
34 other reason that they want that discussed, he, somewhere in  
35 this process would say, I don't want that on the consent  
36 agenda, then it would fall out and be addressed like we  
37 formally go through proposals before the board. That's what I  
38 meant by taking things on and off.

39  
40 MR. GINNIS: Oh, okay. Yeah, I got you now. I follow  
41 you now. Okay. But still, I still have that concern about the  
42 general public, okay?

43  
44 MR. MATHEWS: Right. That's why I jumped the gun,  
45 because that -- others have to look at how we're going to do  
46 that from a public viewpoint. With the chairs, we have a  
47 process to do that with. The public part we still have to work  
48 with.

49



MR. PHILIP TITUS: Like when one of these animal lover

0082

1 groups put in a whole bunch of proposals that's contrary to us,  
2 and they just put it on the consent agenda without anybody  
3 being aware of it.

4  
5 MR. BOYD: The board would run the agenda. And if  
6 someone objected, no matter who, to that being on the consent  
7 agenda, then it would not be. Generally, that's how it would  
8 work.

9  
10 MR. PHILIP TITUS: One guy could object, but ten guys  
11 could overrule his objection.

12  
13 MR. BOYD: No.

14  
15 MR. FLEENER: It only takes one person to pull  
16 something off a consent agenda. Once you look at it, if you  
17 see an item that's contrary, you pull it off.

18  
19 MR. PHILIP TITUS: Yeah, I know what you mean, but see  
20 this one guy could be outvoted, too.

21  
22 MR. FLEENER: But it doesn't take a vote, you just say,  
23 I want it removed.

24  
25 MR. PHILIP TITUS: Okay.

26  
27 MR. BOYD: That would be the rules.

28  
29 MR. MATHEWS: Right now we go through all the  
30 proposals, each one, bang, bang, with full, you know, review,  
31 et cetera. This would just lump them together. If someone  
32 said not, then we, you know, just pull that one off. It's  
33 trying to streamline the board in time. If everybody's  
34 aligned, why have staff go through all the analysis and all the  
35 steps, but there is the risk that Steven's bringing up, that  
36 someone may have an interest in that, that we have to  
37 compensate so they can get their time to present their  
38 attention to the board.

39  
40 MR. MILLER: Go ahead, Lee.

41  
42 MR. LEE TITUS: I have no disagreement on the consent  
43 agenda, because we do that lots when we're dealing with -- in  
44 our meetings when we're dealing with a bunch of resolutions,  
45 you know. We just pull them if we disagree with them, and  
46 think this here is the same thing we're talking about. The  
47 only questions I have, is this going to happen at both the  
48 regional council meetings and the Subsistence Board meeting?  
49

MR. BOYD: I think we're only discussing the board

0083

1 meeting now.

2

3 MR. MATHEWS: Board. We'd only do the board.

4

5 MR. LEE TITUS: Oh, just the board meeting.

6

7 MR. MATHEWS: You could decide to do a consent agenda  
8 yourself, but I don't see that pattern developing within this  
9 group, because the diversity across this board is so wide that  
10 Ginnis wants to know more about the concerns in your areas, so  
11 he doesn't want to -- there's no movement in the council.  
12 That's up to you if you want to do that.

13

14 MR. GINNIS: Well, I thought you were -- what you were  
15 talking about here was a consent agenda that would apply to  
16 this regional council here.

17

18 MR. MATHEWS: No, it's just to the board; just for the  
19 board level. They're meeting in April.

20

21 MR. FLEENER: Mr. Chair? The chairs addressed the  
22 problem of not having discussion, you know, by people. And I  
23 think the board talked about still allowing for comment. You  
24 know, you can write down your comments if you had something  
25 beforehand, and they'll go over the comments. So people will  
26 still have a comment period, it'll just be a written comment  
27 and not come up after each proposal. So there's still an  
28 opportunity to make comments. But if there's a lot of negative  
29 comments, that is probably going to be pulled from the consent  
30 agenda.

31

32 MR. LEE TITUS: Mr. Chair?

33

34 MR. MILLER: Go ahead, Lee.

35

36 MR. LEE TITUS: Well, I agree with it happening at the  
37 board level, but not at the regional level, because I went to  
38 some of these regional -- I mean, board meetings, and all the  
39 proposals we deal with are already dealt on a regional level,  
40 you know. And we always kind of like agree with each other in  
41 supporting these proposals. And, I mean, when you're dealing  
42 with proposals statewide, there's stacks and stacks of  
43 proposals. And there's a lot of them that really doesn't need  
44 to be discussed. But the only problem I have is who -- when  
45 you have your board meeting, is who's going to be pulling these  
46 proposals? It can be anybody? Public or -- I mean, like of us  
47 here, we support a proposal and it goes to Anchorage or  
48 wherever you have your board meeting, and it was fully  
49 supported by this board. And then you have Frank Entsminger,

50 he's chair of the Fortymile Advisory Committee, and he's

0084

1 opposed to that proposal, does he have -- can he pull a  
2 proposal for discussion at the board level?

3  
4 MR. BOYD: I think any participant in the meeting,  
5 public at large, can make a petition to the chairman to pull  
6 something off the consent agenda. That means then that the  
7 board would have to hear it in full, and hear the discussion.  
8 That's all it means. It's just a way of streamlining the  
9 meeting where you can lump all of the issues that are in  
10 agreement that no one has any comment on, and deal with them  
11 sort of efficiently. But if someone, even the public at large,  
12 says, I want to make comment on this, I think the board is  
13 going to be obliged to allow them to make comment on that to  
14 hear it, just like you would want if you had a burning issue.  
15 But it would be at the discretion of the board and the chair,  
16 you know, as they listen to the public.

17  
18 MR. LEE TITUS: Are we supposed to discuss this at our  
19 next meeting?

20  
21 (General laughter)

22  
23 MR. BOYD: Yeah, well, ....

24  
25 MR. FLEENER: That's why a motion ....

26  
27 MR. BOYD: Yeah. Well, we thought since you were  
28 already talking about it, we'd let you carry it on out.

29  
30 MR. FLEENER: I'll make a motion to support the concept  
31 of the consent agenda.

32  
33 MR. TRITT: Second.

34  
35 MR. MILLER: Question? All in favor, say aye.

36  
37 ALL MEMBERS: Aye.

38  
39 MR. MILLER: Opposed, same sign.

40  
41 MR. GINNIS: Don't bring this back at the next meeting  
42 now.

43  
44 MR. BOYD: Yeah, that's what we were just talking  
45 about.

46  
47 MR. MATHEWS: Okay. The next item there was put in  
48 there, discussion on how the board handled proposals, regional  
49 council recommendations, staff analysis, and public comments.

50 I don't know if we want to cover that now, or wait until we

0085

1 actually deal with proposals that are analyzed and before you.  
2 I've gone over this with the new members, Gerald and Calvin,  
3 during their training, the whole cycle. We can do it here, if  
4 you want, or wait at the next meeting when you actually have  
5 proposals before you during that work session. It's up to you.

6  
7 MR. LEE TITUS: Mr. Chair?

8  
9 MR. MILLER: Go ahead, Lee.

10  
11 MR. LEE TITUS: I move to table this here until we get  
12 to tomorrow's agenda, between B and C. Is that where you  
13 wanted to put it, Vince?

14  
15 MR. MATHEWS: Well, either there or next meeting would  
16 be easier.

17  
18 MR. FLEENER: Next meeting at the work session, I think  
19 would be ....

20  
21 MR. MATHEWS: In the work session at the next meeting.

22  
23 MR. LEE TITUS: Oh, okay. I'll redo that.

24  
25 MR. MATHEWS: I mean, it'll come up in pieces and  
26 that, so if you just table ....

27  
28 MR. FLEENER: Question.

29  
30 MR. PHILIP TITUS: What's the motion?

31  
32 MR. FLEENER: To table it until the next meeting.

33  
34 MR. MILLER: All in favor, say aye.

35  
36 ALL MEMBERS: Aye.

37  
38 MR. MILLER: Opposed?

39  
40 MR. MATHEWS: Mr. Chairman, who seconded that? We --  
41 our ears were plugged?

42  
43 MR. MILLER: Nat.

44  
45 MR. MATHEWS: Okay. Then that brings us up to -- you  
46 added to the agenda the subcommittee's report on co-management  
47 concept as F.

48  
49 MR. MILLER: Yeah.





0086

1 MR. MATHEWS: For the public, there's copies on the  
2 table of that. I'm not sure I made them all green, but they  
3 were to be green on that table; some may be white.

4  
5 MR. FLEENER: That's green in your yellow folder?  
6

7 MR. MATHEWS: Yeah, in the yellow folder for committee  
8 members is your draft concept. I don't -- it may be best to --  
9 maybe I can give you the history of the subcommittee, and then  
10 the subcommittee could talk about it. No? Okay. Well, we'll  
11 wait until everyone gets a copy or two, and then we'll go from  
12 there. I supposed I'll turn to the former chair, since he  
13 chaired that subcommittee, to see how we should best present  
14 this. It's a green copy in your yellow book -- yellow file  
15 folder, excuse me.

16  
17 MR. FLEENER: It's a draft co-management concept, and  
18 it just gives the background of the discussions that this  
19 council had on the importance of co-management, what we think  
20 co-management should be, and some ideas of a draft concept.  
21 And this is just for the consideration of this council, if we  
22 want to make changes. And if you guys have suggested changes,  
23 feel free to make them. Maybe we can have a couple minutes to  
24 review these.

25  
26 (Pause - members examine document)  
27

28 MR. FLEENER: Well, does anybody have any comments on  
29 this? This was -- probably the main force behind this was  
30 Steve, because of his interest, longstanding interest, in  
31 co-management. And so I guess that asking Steve first would  
32 probably be the best thing, since this was ....

33  
34 MR. GINNIS: Okay. Are we being asked to act on this  
35 concept as it's being presented here, ....  
36

37 MR. MATHEWS: Yes, that's ....  
38

39 MR. GINNIS: .... or is there time to review this and  
40 maybe bring it back at the next meeting?  
41

42 MR. MATHEWS: Yeah, that is an option. I need to talk  
43 to the full council on that. This would probably be part of  
44 your annual report, or a separate document to the board. There  
45 is no time concept with this. There's no due date, other than  
46 when did you want something to happen with this. So it is  
47 possible it could be deferred to the next meeting or something  
48 like that.

49

MR. FLEENER: Mr. Chair, I think the basic idea was

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1 when you brought this up, you wanted us to bring -- to get  
2 together and talk about a co-management concept, and at least  
3 have something presented at this meeting to discuss. And if  
4 everybody wants more time to look over it, that shouldn't be a  
5 problem.

6  
7 MR. MILLER: Yeah. Well, Mr. Chairman, I was just  
8 thinking that, you know, this issue probably affects the tribes  
9 more than anybody else. I mean, I think that's what we're  
10 trying to get at here. And it just makes sense to me that  
11 maybe they should have an opportunity to kind of review this,  
12 give their input to us about what they think about it. I think  
13 it needs to be a little more specific. Now, this part here  
14 where it says, co-management in general terms is a shared  
15 decision making process between government authorities and user  
16 groups. And then you identify some of the agencies, or  
17 whatever you mean by user groups. I'm sure that's probably not  
18 the end of the list right there. I mean, if you're going to  
19 use user groups, you're talking about everybody and their  
20 brothers. And I think we're trying to address the  
21 co-management agreement between the agencies. And I think we  
22 ought to be more specific to that. We're not talking about a  
23 co-management agreement with the Trappers Association, or, you  
24 know, some of these other groups that you have listed here. I  
25 don't think that's what we're trying to address, at least  
26 that's the way I look at it. So I guess I have a little  
27 concern about identifying who these people are from your  
28 perspective.

29  
30 MR. MATHEWS: Okay. The footnotes is what you're  
31 talking about.

32  
33 MR. GINNIS: Yes.

34  
35 MR. MATHEWS: Those are just used as an example.

36  
37 MR. GINNIS: Okay. But we ....

38  
39 MR. MATHEWS: This is kind of a process. Once you  
40 adopted this process, then the subcommittee co-management group  
41 would define who's in it. So if it happens to be an Upper  
42 Tanana Fortymile area, then that subcommittee would draft up a  
43 list who all possibly should be involved in that process, which  
44 would be different than if it was an issue up on the Flats, or  
45 over at Tanana, or something to that effect. This was just  
46 examples. These are not the definitive list of who it might  
47 be.

48  
49 MR. FLEENER: I think I was the one who suggested that

50 we put a list of somebody down here so people wouldn't just

0088

1 substitute anything in there for user groups, because, like you  
2 said, anybody can do that. It can represent anybody and their  
3 brother, so ....

4  
5 MR. GINNIS: Well, yeah. Again, you know, when we  
6 talked about this, I think we were talking about more in terms  
7 of some cooperative working relationship with tribes. And I  
8 think that's what this cooperative -- I mean, this thing ought  
9 to address is that concept. You know, I don't see anything  
10 wrong with it, other than trying to say user groups. Like I  
11 say, you know, I've been involved in a lot of drafting of  
12 language and stuff, and little words like that can take the  
13 total thing out of context. It can take it totally out of its  
14 context, so ....

15  
16 MR. MILLER: Okay, go ahead, Gerald.

17  
18 MR. NICHOLIA: Yeah. What I think Steve is trying to  
19 get at is that if you allow the tribes into it, it'll give them  
20 a better chance to have a say-so at the start of it, instead of  
21 react to what somebody else said. That's what mostly is  
22 usually happened, because I work in a resource department.

23  
24 MR. FLEENER: Why don't we just let people review it?  
25 We don't have to take action on it.

26  
27 MR. MILLER: I guess we'll table this until our spring  
28 meeting?

29  
30 MR. GINNIS: Well, wait, hang on a minute. That's kind  
31 of a ways off, ain't it?

32  
33 MR. MATHEWS: February or March.

34  
35 MR. GINNIS: I mean, we can still initiate  
36 co-management agreements without even acting on this thing.

37  
38 MR. MATHEWS: Correct. The entities that you've talked  
39 about had that option to do it on their own. This was the  
40 council putting together what it thought its concept of  
41 co-management could be. So what I've heard so far is that you  
42 may want input from village and tribal in the Eastern Interior,  
43 so this could be mailed to them, if you want to hear their  
44 comments on it. I suppose my concern is this did not lock out  
45 tribes, so I want to stop that right now. It did not lock it  
46 out, it mentions it in some other ways. But we can mail it  
47 out, if that's what's needed, or more time to review it,  
48 whichever way you want to go.

49

MR. FLEENER: Mr. Chair, why don't we go ahead and do

0089

1 that, mail it out to people right away, and once you've  
2 received responses, and you can send a copy of the responses to  
3 all of us, and we can take our red pens to these, each of the  
4 council members, and send our responses -- or send our marked  
5 up versions back to you, and maybe you could rewrite it, or get  
6 the subcommittee back together to take a look at all the draft  
7 changes.

8  
9 MR. MATHEWS: Okay. So I'll mail it out with a cover  
10 letter, some time response, and I need from the new chair,  
11 would the same committee then meet then? The same makeup? It  
12 was Fleener, Good, and I'm leaving somebody off -- oh,  
13 yourself. So it would remain the same? Okay. So I'll  
14 determine that date, how to ....

15  
16 MR. FLEENER: Where's the meeting going to be, Reno?

17  
18 MR. MATHEWS: I haven't talked to Tom about ....

19  
20 MR. GINNIS: Hawaii.

21  
22 MR. MATHEWS: Reno or Honolulu. If you notice, I've  
23 been getting further and further away from them. I'm just  
24 waiting to bring up the big money items. No, we'll work on  
25 that and get a response and then come back. Okay, I  
26 understand.

27  
28 MR. BOYD: Tok, we go as far as Tok now.

29  
30 MR. PHILIP TITUS: Okay, we're done with this?

31  
32 MR. MATHEWS: Okay, then that brings us up to ....

33  
34 MR. PHILIP TITUS: New members welcome and  
35 introduction.

36  
37 MR. MILLER: I think we're going to take a ten-minute  
38 break.

39  
40 (Off record)

41  
42 (On record: 3:15)

43  
44 MR. MILLER: Okay, getting back to the agenda here.  
45 We're on B, new members and their introduction. But Gene  
46 Henry, the village elder, would like to say a few words. Hey  
47 Gene? Go ahead and come on up to the mike, if you would,  
48 please.

49



MR. HENRY: This is Gene Henry. I born in Copper

0090

1 River. I raised over Copper River country way over there. My  
2 family all die off but me. Me only one left. Like my sister  
3 down there in Fairbanks, is my mother's sister's girl, Dora,  
4 down there. She's the one got family in here, Stella(ph), all  
5 them. She's got all in here, but she's not good shape. She's  
6 in hospital. We all come from Copper River. Rest of our kids  
7 over here, that's how we living up here. And I like talk about  
8 this -- he talk about that game law. We should get little bit  
9 down on them -- we take care ourselves. See, I born 1911. I  
10 living up here 85 years next month. Never (indiscernible). I  
11 know the country. I don't go by book. I got nothing to do  
12 with book. I could -- if I reading, sure, I reading, but I  
13 don't read. It's like a blank, I mean, that stuff. But I got  
14 mine through talking to people. I been living this country all  
15 my life. By law we shouldn't get little, you know. Little  
16 break on us. We are Indian people. We born up here. Since we  
17 living up here all our life, we got laws as good as every white  
18 people. Sometime -- if two more people at least got my -- like  
19 me, we go to court, we probably make it. I'm just one man. I  
20 can't do it. Like I talk about, you know, that law business,  
21 that commercial fishing, stuff like that. They not -- that  
22 commercial fishing get all kinds of fish. What they do with  
23 them?

24  
25 Us up here we born up here, we live on all the game, we  
26 live on the fishing, we live on the game out in wilderness. We  
27 never waste them. Indian people never waste meat. Even  
28 caribou feet, we saving that for some time, you know, stuff  
29 like that. We take care of our game, our country. I know  
30 every people doing like that around here, Native people. We  
31 don't have to get too much law tell us what to do. We live up  
32 here all our life. We should get free sometime. And I live  
33 this country all my life. I been through all kinds of game. I  
34 been trapping. I go around all over country, everywhere I  
35 been. Now I'm old man. I have to lie down. You come way down  
36 there for a meeting like this. I have to speak. Tanana Chief  
37 pay my way every summer, go to meeting. I explain at new  
38 places like that. Now, we should get rich sometime. Don't  
39 have to have a law against it now, us all the time. We should  
40 be get rich sometime. Like now we got law that's good as  
41 anybody, anybody like white people like right here. We got  
42 law -- strong law as good as them. If we go out do something,  
43 the law will get after us. But what do you -- trooper in  
44 highway, I understand them. They all right.

45  
46 You work -- lots of young people -- our young people in  
47 trouble right now. Our youngest in trouble lots of way just  
48 for liquor, stuff like that. I don't like that. I don't  
49 want -- I against liquor. When meeting, I talk about that, but

50 how we can stop them? We can't stop every people. Just one

0091

1 each time a year, change their life. Like the boys down in  
2 Minto, in camp this spring. I hear you changing life --  
3 different life. That's good, you know. That's really good to  
4 me. I'm glad to hear that. I against -- I admit in lots of  
5 places I against liquor in Tok. That's no good to teach young  
6 people. That's what I against when meeting. But I just don't  
7 know what this meeting for right here, but I telling you this,  
8 you people now, what are you gaining? Meeting -- every time  
9 meeting I have to go up there and we talk about that to young  
10 people, to learn different life. We teach them, and I'm old  
11 man. I old time Indian. I learn education by old time way, my  
12 Indian people education. White people education, I don't know  
13 much. I learned a little how to run equipment. I work with  
14 state; people teach me how to run equipment. That's how I  
15 learn white people way. But Indian education, you can't tell  
16 me what. I know all. I do well education Indian life. I know  
17 how to trap, go out kill game, how to take care, cut fish. I  
18 go through all. Whatever was Indian life, you tell me, I been  
19 through it, everything. I may be old man, but I even cut fish,  
20 cut meat. Teach them young people. And I go out picking  
21 berries. Now I working lately, even I old man. I accomplish  
22 something.

23  
24 I like young people learn just like me. This spring I  
25 carve again spoon, wooden spoon. I taking down with me when I  
26 go. I take ten down there. People buy right off of me for  
27 \$150, right there in room. Everybody buy right off me. Half a  
28 day, that's all it is for me. Next year I go meeting, I  
29 probably take diamond willow (indiscernible). I do lots of  
30 things. I work a lot carving stuff. I'm making money all the  
31 time. I make about \$500 that wooden spoon, you see it down  
32 (indiscernible). I sell them. I make about \$500. I teach  
33 young people, do like I do. Lots of -- you don't have to  
34 have -- you know, if they learn like I do, lots of money out  
35 there. You can make it. (Indiscernible) sometimes. I make  
36 about 3- or \$400 there for all time. Stuff like that, I  
37 teaching young people. I got two classes teaching Indian boys,  
38 two classes teaching right here Dot Lake. I don't do it here.  
39 I go up there (indiscernible), Tanacross by boat summertime.  
40 We got open camp up there. Down there, (indiscernible) where  
41 my home town, we go down there. We got open camp, teaching  
42 young people through all, every day, three day sometime. I  
43 talk with young people. That's my job. I do that kind of  
44 work, and I'm glad to see you people up here.

45  
46 I don't know what meeting up here, I still don't know.  
47 Go buy book? I can't do it. I can't take pencil. I got my  
48 head, explain people myself how to do it. Like I tell you, I  
49 get education by Indian life. Everything Indian life I go

50 through. I know all. About white people, not too much. Too

0092

1 much -- I don't know too much. I learn -- working with them, I  
2 learn how, I just told you. Well, that be all. Go back  
3 safely.

4  
5 MR. MILLER: Vince, did you want to ....

6  
7 MR. MATHEWS: Yes. Mr. Chairman, I failed in the  
8 beginning of the meeting at 11:00 to introduce another guest  
9 that we have here from Fort Yukon. He happens to be from the  
10 Fort Yukon school program there, and he's part of a program to  
11 observe and learn more about management, wildlife management  
12 and biology. So I think he's still in the back of the room.  
13 That's Steve Ginnis back there. Not that Ginnis, but that  
14 Ginnis back there. So I encourage all the staff to introduce  
15 themselves to him, and he may have some questions for you, and  
16 then others, to let him know what you feel about this process  
17 and that, so he can learn better; so when he goes back to his  
18 high school, that he can share that with the other students.

19  
20 MR. MILLER: Okay. Next item.

21  
22 MR. MATHEWS: The next item would be -- you should have  
23 gotten it in the mail. Please let me know if you did not. Lee  
24 was -- let's see, it would be this book here, the gray and  
25 yellow book, the manual. These are in draft form. These were  
26 a joint effort with the focus group of several chairs, and I  
27 won't remember -- there were several council representatives,  
28 most of them were chairs. Craig Fleener was involved in this.  
29 I'm trying to think who else was involved in it. But there was  
30 one from Bristol Bay, Bill Thomas, the chair of Southeast, in  
31 addition to staff. These are manuals for the regional council  
32 members. They're in a question/answer format. And if you have  
33 any comments or questions, now would be the time. I think  
34 Steven did have some. He at least mentioned -- maybe it was a  
35 different manual. But this is your book. This is a draft, and  
36 a final possibly will be available at your next meeting. I'm  
37 not sure if we'll meet that deadline, but that's our target.

38  
39 And also, if you feel this is needed for others to  
40 understand the program, or for potential new members, we can  
41 provide copies for them. That's another reason for this  
42 manual. But it's generally a working manual.

43  
44 MR. FLEENER: Mr. Chairman? You said you have no idea  
45 of the tentative date for the video production?

46  
47 MR. MATHEWS: We're shooting for next meeting, I know  
48 that, but I don't know if it's defined that ....

49

MR. BOYD: Well, I'm not sure what we're going to be

0093

1 able to do, because we're losing some key personnel on the  
2 staff, and really ....

3  
4 MR. FLEENER: Make Vince do it.

5  
6 MR. BOYD: Huh? Well, you need people that have the  
7 skills in that arena, and we're losing that currently. Vince  
8 has got many other good skills.

9  
10 (General laughter)

11  
12 MR. FLEENER: Choreography isn't one of them.

13  
14 MR. MATHEWS: Actually, I was involved in this, too. I  
15 did two or three reviews of it. But what he's saying politely  
16 is, this is in a special program, Word Perfect processing, but  
17 it also requires -- the person who did this is very talented in  
18 this. There's a whole different perspective, and I think you  
19 see this in there. So that's where ....

20  
21 MR. BOYD: Public communication and video skills, you  
22 know, those sorts of things. We're losing our key ....

23  
24 MR. FLEENER: Areas where Vince is weak, huh? Is that  
25 what you're saying?

26  
27 MR. BOYD: Well, I don't have them either, so I'll just  
28 be polite. Going to date, we were hoping to have something  
29 done this winter, but it may be delayed until we get the people  
30 on board.

31  
32 MR. LEE TITUS: Mr. Chair?

33  
34 MR. MILLER: Go ahead, Lee.

35  
36 MR. LEE TITUS: On this overview of the subsistence  
37 management on page 2, are we now the Northwest Arctic?

38  
39 MR. MATHEWS: Oh, no, no, no. That was just a -- these  
40 people that are so good at putting this together, may not be as  
41 good with maps. No, she caught that right off the bat. This  
42 was the first we had put this together, and that's correct in  
43 the file. What they're talking about, for the ones that don't  
44 see it, is that the Region 9 is in the right spot, but when  
45 they did the - what do you call that - the table, or whatever  
46 it is down there, reference, it references 9 as Northwest  
47 Arctic. So it was just an error.

48  
49 MR. FLEENER: Actually, that's been on several things



50 that I've seen that it's called us the Northwest Arctic. You

0094

1 might want to check your database, because I've seen this in  
2 several other places.

3

4 MR. MATHEWS: Okay. We'll get it straight.

5

6 MR. GINNIS: Vince, what are you looking at? This  
7 overview? This thing here?

8

9 MR. MATHEWS: Yes. On page 2 there's a map there.

10

11 MR. GINNIS: And this ....

12

13 MR. MATHEWS: Yeah, we're on page 2 of the yellow one.  
14 And gosh, I feel like I got to defend myself. But when I  
15 reviewed this, there was no map, so I may be getting a little  
16 bit senile -- but anyway, there was just an error in that.  
17 That's all corrected. Hopefully it will not surface later. If  
18 it does, then we'll correct it then, but I think it's -- I know  
19 it's corrected. I know she caught that on that, and so did  
20 Northwest, because Northwest doesn't want to be Eastern  
21 Interior either.

22

23 MR. FLEENER: Heaven forbid.

24

25 MR. GINNIS: Mr. Chairman, there is several things I  
26 wanted to point out in this overview of Federal Management  
27 Program for Regional Council Members. On page 4, under 4, how  
28 does this program come to be? I just wanted to just point out  
29 this one phrase here, or statement here, that says,  
30 "Specifically, Title VIII of the law mandated the continued  
31 opportunity for subsistence activities on Federal Public Lands  
32 in Alaska, and require that a priority be given to subsistence  
33 use." It also stated that "such subsistence be used, should be  
34 done in a way that is based on sound management principles, is  
35 non-wasteful, and is consistent with the purpose of which each  
36 unit of federal land was created." I guess what I wanted to  
37 say about that statement, you know, is that if indeed that  
38 statement is true, that priority is given on federal lands on  
39 subsistence use, then why are we having all these other  
40 activities, as seem to be not consistent with our principle, if  
41 you know what I'm saying. The principle of subsistence as a  
42 priority. I mean, there's other uses that's going on. So I  
43 just wanted to point that out, that the way I understand  
44 Title VIII, it does give us priority, and the way I understand  
45 Title VIII, it also should be managed with that in mind. And  
46 I've never really gotten an answer from anybody about why all  
47 these other activities are occurring, that I feel are not  
48 really consistent with this statement right here, particularly  
49 from the area I come from. Now, you know, this fall I seen --

50 I mean, there's a base operation out of Fort Yukon, Guidance

0095

1 Service, that I don't know where they fly up -- probably up  
2 north of the Brooks Range, I guess. In any case, I see those  
3 folks coming back with, you know, moose horns just coming out  
4 of their ears. And yet I don't see no meat. So to me that  
5 would be kind of wasteful; maybe I shouldn't say it's wasteful,  
6 but that's the way I look at it.

7  
8 The other thing I was going to point out on this was --  
9 I need some more patience somewhere around here. The other  
10 thing is on the last page of this on page 11, where it says  
11 "important subsistence laws and regulations," and where it  
12 addresses ANILCA. It says, "Title VIII of Alaska Natural  
13 Interest Lands Conservation Act is a piece of legislation that  
14 deals with subsistence management and use on federal public  
15 lands." I would suggest that it's a piece of Indian  
16 legislation. And that is very important. The reason why it  
17 should be referred to as Indian legislation is because that's  
18 exactly what it is. Even the Secretary of Interior calls it  
19 Indian legislation. On the other hand, the Republican  
20 legislature and the governor don't view this in the same light  
21 as the Secretary of Interior does. So I would like to suggest  
22 that you put that in there as Indian legislation. I mean, I  
23 think that really makes a lot of difference in how this  
24 legislation is defined. That's all I have on this one.

25  
26 MR. MILLER: Is there any more comments?

27  
28 MR. PHILIP TITUS: On Page No. 2, No. 1? Does the  
29 federal government then manage subsistence hunting, trapping  
30 and fishing, and we don't leave ourselves (indiscernible)  
31 issues. Is that just an error?

32  
33 MR. FLEENER: He says No. 1 on page 2?

34  
35 MR. PHILIP TITUS: The first sentence is dealing with  
36 subsistence hunting, trapping and fishing. It seems like we  
37 got no trapping and fishing.

38  
39 MR. BOYD: The statement is true in its context. I  
40 mean, it says that we're managing hunting, trapping and fishing  
41 on Federal Public Lands in Alaska under Title VIII of ANILCA.  
42 It just so happens ....

43  
44 MR. PHILIP TITUS: But the fish don't go on lands.

45  
46 MR. BOYD: Well, lands have been defined as lands and  
47 waters, if you will.

48  
49 MR. LEE TITUS: It's true -- excuse me, Mr. Chair?



0096

1 MR. MILLER: Go ahead, Lee.

2

3 MR. LEE TITUS: It's true because of the Katie Jon  
4 decision, right?

5

6 MR. PHILIP TITUS: So we should be dealing with fishing  
7 issues, too, then.

8

9 MR. BOYD: On Federal Public Lands. But the issue is  
10 whether or not we can exert jurisdiction into areas where you  
11 fish, into navigable waters. And while the court has ruled  
12 that we should, we have been prevented from doing that by  
13 federal legislation, essentially, a moratorium. But there are  
14 some waters on federal lands that we have jurisdiction over.  
15 It just so happens that most of those waters are not  
16 significant fisheries. I'm probably confusing you.  
17 Essentially, we have no jurisdiction right now ....

18

19 MR. PHILIP TITUS: On fishing.

20

21 MR. BOYD: .... in the major waterways where fishing  
22 occurs, that's correct.

23

24 MR. PHILIP TITUS: I mean, like me, I'm fishing for  
25 salmon and fall chum, and ....

26

27 MR. FLEENER: Mr. Chair, what areas do you know of --  
28 of course, I'm going to ask this question. What streams or  
29 lakes or whatever do you have authority over in Eastern  
30 Interior? I'm sure you have a list of them in your breast  
31 pocket, right?

32

33 MR. BOYD: They're little ones. All non-navigable  
34 waters that course through Federal Public Land, how's that?

35

36 MR. PHILIP TITUS: All non-navigable?

37

38 MR. BOYD: Yeah, small ....

39

40 MR. FLEENER: Small lakes.

41

42 MR. BOYD: .... streams.

43

44 MR. PHILIP TITUS: Seem like if you can't navigate, you  
45 can't fish there. It's too shallow to fish.

46

47 MR. FLEENER: Is there a water depth or something that  
48 determines navigability, or is that a laughable issue?

49

MR. BOYD: (Laughing) Yeah, it is. It's not

0097

1 laughable, it's just very difficult to apply on the land.  
2 There's no ....

3

4 MR. FLEENER: So you guys, or the state and the feds  
5 are arguing about which one you really do have authority over,  
6 so basically you don't have authority, because you don't  
7 have -- do you have any fishing regs out?

8

9 MR. KNAUER: Yes, we do. If you look in the back of  
10 the purple book, there are fishing regulations.

11

12 MR. FLEENER: And that should have the locations that  
13 you have ....

14

15 MR. KNAUER: Excuse me, it's blue this year.

16

17 MR. MATHEWS: You have a couple on the tables there,  
18 but ....

19

20 MR. FLEENER: And this should have the locations that  
21 you have supposed authority over.

22

23 MR. BOYD: Not as specific as you might like them,  
24 though.

25

26 MR. FLEENER: Well, there's got to be a delineation  
27 somehow.

28

29 MR. BOYD: Yeah. Non-navigable water. I think it's  
30 better to look at it this way. We don't have jurisdiction over  
31 the waterways you'd like us to have jurisdiction over.

32

33 MR. PHILIP TITUS: Oh, that ain't my problem, I just --  
34 the less regulations, the better off I am.

35

36 MR. FLEENER: So I think what he's saying here is, you  
37 might want to clarify this and say -- well, it does say "on  
38 Federal Public Lands," but maybe you should change that to  
39 "non-navigable waters on Federal Public Land." Anything with  
40 less water than you can bathe in, I guess. That's not going to  
41 change anything, just a point of clarification, I guess.

42

43 MR. PHILIP TITUS: I mean, if somebody was reading it,  
44 they'd say, oh, okay, I'm putting in a proposal for fishing.  
45 That's all I have, Mr. Chairman.

46

47 MR. MILLER: Did you have something, Vince?

48

49 MR. MATHEWS: Well, yes and no. I'll carry the



50 comments forward from Mr. Ginnis also. But I feel kind of

0098

1 obligated to tell you those changes probably will not be  
2 incorporated in. The first one about why are other activities  
3 allowed when priority is given to a conservation unit, the  
4 priority does not exclude other uses. So I want Steven to know  
5 that. And then the question on Indian legislation, I will move  
6 that forward, but we've had I think an opinion from our  
7 solicitor on ANILCA, and I believe that opinion is that  
8 Title VIII is not Indian legislation. So I don't want you  
9 leaving the room or leaving this meeting thinking those changes  
10 will happen in this book, because I ....

11  
12 MR. GINNIS: Hey, I never leave this meeting with that  
13 kind of thought in mind, because it seems like we come back and  
14 discuss the same things over anyway.

15  
16 MR. MATHEWS: Well, I just wanted to let you know that  
17 that was discussed quite a bit about Indian legislation.

18  
19 MR. LEE TITUS: Mr. Chair?

20  
21 MR. MILLER: Go ahead, Lee.

22  
23 MR. LEE TITUS: The solicitor, is that the same guy --  
24 what's his name again?

25  
26 MR. FLEENER: Goltz.

27  
28 MR. MATHEWS: Keith Goltz.

29  
30 MR. LEE TITUS: Goltz. If I understand it -- or when I  
31 was the chair, Katchatag asked them at one of our meetings if  
32 it was Indian legislation. And if I'm correct, he stated that  
33 it was.

34  
35 MR. MATHEWS: Well, I'll defer to others. But my  
36 understanding is there's different interpretations on ANILCA  
37 being Indian legislation or not.

38  
39 MR. GINNIS: It is Indian legislation, I'm telling you.

40  
41 MR. MATHEWS: I'll take the comment and go. I just got  
42 the word from on high.

43  
44 MR. GINNIS: But yeah, I know what you mean. You know,  
45 I don't expect things to change, you know what I mean. You're  
46 asking for comments on this thing, and I'm just making my  
47 comments as the way I feel about it. And if I really felt  
48 strong about it, I guess I would just jump straight up and  
49 down, but I don't feel that strong about it. But, you know, it

50 does make a lot of difference when we're talking about ANILCA,

0099

1 whether it's Indian legislation or not. I mean, it really  
2 makes a difference from my perspective. That's why I raised  
3 it.

4  
5 MR. FLEENER: Mr. Chair?

6  
7 MR. MILLER: Go ahead.

8  
9 MR. FLEENER: Now this is another one that you can't  
10 answer. But what is a priority that doesn't exclude something  
11 else? What's the definition of a priority, if you're not going  
12 to make an exclusion?

13  
14 MR. PHILIP TITUS: Priority to what?

15  
16 MR. FLEENER: Priority for subsistence use. If it says  
17 there's a priority for subsistence users, that means somebody  
18 must be getting excluded, or at least held back a little. I  
19 mean, what does priority mean, if someone's not being excluded?  
20 Anybody got a hint, clue, idea?

21  
22 MR. BOYD: Well, I think the laws articulating a policy  
23 of preference for that use, subsistence uses, over other uses.  
24 How that plays out is a matter of implementation, and we're  
25 doing that in this process that we're about, in developing  
26 regulations, if you will. But it could include ....

27  
28 MR. FLEENER: But it seems to me that we have ....

29  
30 MR. BOYD: But it could include exclusion, or it could  
31 include restriction of some sort of the other uses, or it may  
32 not, depending on the situation. So I don't have a clear  
33 answer for you. It depends on the case that you're dealing  
34 with.

35  
36 MR. FLEENER: It just seems that the terms that we use  
37 so frequently, most of the time they don't mean a hill of  
38 beans, you know. We use terms like "a preference," and if  
39 there is really no preference, why do we use that term? Or  
40 "priority." If there's not necessarily a priority, why do we  
41 use that term? I mean, you can't answer these questions, but  
42 I'll ....

43  
44 MR. GOOD: Mr. Chairman?

45  
46 MR. MILLER: Go ahead.

47  
48 MR. GOOD: As I understand this, when we come to  
49 periods in which the resource is limited, the very last to

50 receive any restriction will be subsistence. And the very

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1 first to be restored will be subsistence again, before say  
2 sport hunting or anything else, in times of limited resources.  
3 And that I would definitely consider to be a priority given to  
4 subsistence.

5  
6 MR. FLEENER: And that's the way I understood it. But  
7 when Vince said that there's not really a -- there's no  
8 exclusion, there's no exclusions made, that means to me that  
9 there's not a preference given.

10  
11 MR. MATHEWS: It's not automatic that the preference  
12 excludes, it's dependent on the area and the situation.

13  
14 MR. MILLER: Any more questions on it?

15  
16 MR. MATHEWS: Okay. The next item is new member  
17 welcome and introduction. I shouldn't have put it in there,  
18 but the computer didn't take it out, so we've already gone  
19 through that. If the new members want to share some more  
20 information with the audience here, they're more than welcome  
21 to. That's up to them. Okay.

22  
23 MR. MILLER: I guess we'll move on?

24  
25 MR. MATHEWS: The next item is other members reports.  
26 This is any time -- this is the time where other members can  
27 report on activities they've been involved with, meetings,  
28 et cetera. During the proposal generation part, you amended  
29 the agenda to have a report from Steven Ginnis, talking about  
30 the Subsistence Summit Report and additional information on  
31 that, so that would be the time for that. And I do need to let  
32 you know -- and again, I don't have all the copies, but you  
33 have them in front of you. The Summit, the AFN Summit,  
34 produced this chart. There's another handout that goes with it  
35 that I know you have in front of you. I don't know if Steven  
36 will reference it, but you do have this for your own use in  
37 that. For the public, there's copies of this at the table, and  
38 just so you know that.

39  
40 MR. GINNIS: Okay, Mr. Chairman, you know, I wasn't  
41 really prepared to actually do a report, but I can tell you a  
42 little bit about what I know about the whole issue for the  
43 board. I think most people know that I am the chairman of the  
44 Alaska Intertribal Council, which represents 170 tribal  
45 governments from throughout the state. And through that is how  
46 I've been involved in this issue. And, you know, it kind of  
47 amazed me that they've taken such a simple issue and made it as  
48 complicated as they have made it, you know. And I don't know  
49 who "they" are, but, you know, in any case, they've made it a

50 very complicated issue that most of us Native people just can

0101

1 easily relate to as customary and traditional use. That's what  
2 we're talking about, the way I look at it. But in any case,  
3 the Subsistence Summit that was held -- when was it now?  
4 September?

5  
6 MR. FLEENER: August?

7  
8 MR. GINNIS: August, yeah. The idea there was to bring  
9 together as many Native people from throughout the state to try  
10 to come up with a unified position to try to help with this  
11 subsistence impasse. And at that gathering, I think we went  
12 through about nine different proposals from throughout the  
13 whole state. And then we went into regional caucuses, and  
14 basically voted on who we think should have priority, all these  
15 12 different issues that surrounds the whole issue of the  
16 subsistence. You know, defining customary trade. When is the  
17 priority invoked? Subsistence opportunities for urbane  
18 Natives, all these questions. The work of the Subsistence  
19 Summit hasn't been completed. You know, in the process of it,  
20 the governor came up with his proposal, as you all know, that  
21 he'd been running around all over the State of Alaska with, and  
22 we've -- maybe I shouldn't say it in that way. But in any  
23 case, that's what he's been doing is flying around the state  
24 pushing his proposal. Now, I forget when it was he invited the  
25 Alaska Intertribal Council, the AFN RurAL CAP, to testify  
26 before his task force. And at that task force testimony, we  
27 were all basically on the same wavelength, that we were saying  
28 that first of all, we have no input whatsoever in this  
29 governor's proposal. And even after we provided the testimony,  
30 he still didn't change the proposal to fit the concerns of the  
31 Alaska Native people.

32  
33 So what occurred after that was we realized that he  
34 said that his work was done, et cetera, that he got all the  
35 input he wanted. So we decided that maybe the next step is to  
36 go find out what's going to happen, and what's happening in  
37 Washington D.C. So we went down there, and that's when we were  
38 trying to find out what Ted Stevens was up to. And we also met  
39 with the Secretary of Interior, pointing out to him the fact  
40 that he does have a responsibility to the Alaska Native people,  
41 just as part of his job, et cetera, et cetera, all that  
42 rationale. We also pointed out to him the fact that the bill  
43 that Ted Stevens introduced had no input whatsoever from the  
44 Alaska Native people. And so where I think it's at now is, as  
45 a result of that meeting in Washington D.C., they asked for a  
46 presidential veto. Now, I guess you read in the papers where  
47 the Secretary of Interior basically said that he wouldn't ask  
48 the president for a veto of this legislation. As you know,  
49 it's attached to an Interior Appropriations bill as a rider,



50 this legislation. And I have a copy of that legislation.

0102

1 Unfortunately, it's at home. It's only eight pages long. But  
2 there's a lot of -- just an eight page document has a lot of  
3 things in there.

4  
5 And according to the legal analysis done by some Native  
6 attorneys, there are at least six net losses in that bill as  
7 it's currently written. And those have been expressed to  
8 Stevens, and Secretary of Interior, and everybody else and  
9 their brothers, I guess. But I guess the only hope we have  
10 right now is a presidential veto of the legislation, and our  
11 hope is that that's what he'll do. And if he does, then this  
12 legislation would go through the normal process like it should  
13 have gone through, of introducing it into their committees, and  
14 then giving opportunities for people to respond to it. so I  
15 guess that's probably where it's at. Now, I know at the Alaska  
16 Federation of Natives, at this convention, that's going to be a  
17 real topic of discussion this year. I'm not really sure what  
18 they're going to do there, but my hope is that they will come  
19 out of there with a firm position, voted up or down at the  
20 convention, and that the governor will, in his wisdom, pin us  
21 to the table, where we really should be, where the decisions  
22 are actually being made. And I think that's the effort that  
23 we're trying to gain here.

24  
25 Now, from a tribal perspective, you know, one of the  
26 areas that we really want to see in this language is some  
27 provision for co-management by tribes. And I think it's  
28 already been indicated that it's included in this legislation  
29 that Stevens introduced. But I don't think it says  
30 specifically "tribes." I think it just says Indian  
31 organizations. So I guess it's kind of open to interpretation  
32 to what that means. It may very well mean 638 contracting  
33 tribes, it could mean nonprofits like Tanana Chiefs. I don't  
34 know what it really means, but they're telling me it's in  
35 there. I would like to have it a little more specific, though.  
36 So I guess that's the way I view it. That's the way I think i  
37 see it moving. I don't think the legislature is going to go  
38 into any special convention, or special legislative - what do  
39 you call it - legislature, I guess. And most likely they  
40 probably will deal with it in January whenever they convene,  
41 because this legislation also has an extension of a year  
42 attached to it, until December of '98.

43  
44 Now, like I said earlier, this legislation is  
45 contingent on legislative action on the Constitutional  
46 Amendment. And that's going to be pretty hard to get with a  
47 Republican legislature that we have now. So God only knows  
48 where this is going to go after the AFN convention. But my  
49 hope is that at the AFN convention there will be a firm

50 position, that nobody can back off from, or sit around and try

0103

1 to compromise on. And I think that the meeting that was held  
2 in D.C., the co-chair of AFN made some sort of a statement that  
3 AFN wasn't really opposed to Stevens' legislation. I think  
4 that was a real error on his part. I'm not going to criticize  
5 him for it, but, you know, he hasn't been really in the loop,  
6 from my point of view, and making that kind of a statement to  
7 the media is totally misleading. I can tell you right now that  
8 AFN does not support the amendments by Stevens.

9  
10 And I guess that's basically all I have to say about  
11 it. That's just as much as I know about it. Now, the other  
12 thing is that the Senate Resource is having a hearing in Galena  
13 Friday from 9 to 5 p.m. So I don't know how many villages will  
14 participate in it, but they're going to hook up to three other  
15 villages. This is probably the only rural hearing that they're  
16 having. Most of them, as you know, are being held in urbane  
17 areas. That's really unfortunate that they won't listen to the  
18 people that this whole issue affects the most. But that's just  
19 the way the politics is, and that's kind of hard for me to  
20 understand. The politics of it is not in our favor, that's for  
21 sure. That's it, Mr. Chairman.

22  
23 MR. MILLER: Is there any questions? I guess we'll  
24 move on in the agenda then. Is there any more reports?

25  
26 MR. MATHEWS: Not unless other members have some that  
27 they wanted to share.

28  
29 MR. GINNIS: For your information, Gerald just has a  
30 copy of the legislation here. I don't know if you might want  
31 to make copies of it. I think Lee said he didn't get a chance  
32 to look at this, but ....

33  
34 MR. MATHEWS: Okay. I can make copies of it, sure.  
35 Okay, that would bring us up to ....

36  
37 MR. FLEENER: Correspondence.

38  
39 MR. MATHEWS: Yes. And you need to turn to - I don't  
40 know what - Tab G, and ....

41  
42 MR. GINNIS: Tab what?

43  
44 MR. MATHEWS: G, as in Galena. And again, what I do  
45 is, that's correspondence received. You'll notice there's a  
46 newspaper article there. It has nothing to do with the flu. I  
47 just wanted you to see that you did get some local write-up  
48 from your meeting in Tanana, just so you get an idea. We do  
49 deal with -- we do press releases after this meeting, and this

50 is one that the paper did pick up, so that's just to inform you

0104

1 that you got in the paper. The next letter you received is  
2 from Yukon Flats National Wildlife Refuge. And again, this is  
3 just, instead of sending you all the copies each time they come  
4 in, they're just kind of put together at one time. And this  
5 was in response to the request you had on trapping on the  
6 National Wildlife System between 1992 and 1996. Okay, that's  
7 in that trapping thing. So I can just, for the record, go  
8 through. If you have questions, then we can answer them.

9  
10 MR. GINNIS: Mr. Chairman, on this questionnaire, is  
11 there any -- is there going to be a report on this?

12  
13 MR. MATHEWS: There is a report. I'm not clear who's  
14 going to present that. I was told it was going to be someone  
15 out of the Anchorage office, so I don't know if that's been  
16 delegated to someone else. But we do have in your book a  
17 trapping report that was generated for the Congress. But I  
18 haven't had a chance to see if it's been delegated to someone  
19 else.

20  
21 MR. FLEENER: Let's ask. Ted, you guys going to ....

22  
23 MR. BOYD: Nobody's talked to us about it,  
24 but (indiscernible - away from microphone).

25  
26 MR. MATHEWS: It was my understanding it was going to  
27 be Tom Ely, so I don't know if he's coming later or what.

28  
29 MR. GINNIS: Well, in any case, I would like to have  
30 some - whether it's done here or not - you know, I'd like to  
31 know what these -- what the outcome of these ....

32  
33 MR. MATHEWS: Okay. Let me find it very quickly. It's  
34 a report, and since we're on to that, I believe it's under  
35 Tab K, which is quite thick. The back of Tab K, it says Mammal  
36 Trapping within the National Wildlife Refuge 1992-1996. This  
37 is the executive summary of that report. I have the full  
38 report back there on the table.

39  
40 MR. FLEENER: You said the back of Tab K? Are you  
41 talking about the last page?

42  
43 MR. MATHEWS: The last pages of Tab K, correct. Yeah,  
44 it's the last report in Tab K.

45  
46 MR. GINNIS: Are we going to go through this latter, or  
47 what?

48  
49 MR. MATHEWS: I can just paraphrase -- what now?



0105

1 MR. GINNIS: Are we going to be going through this part  
2 of ....

3  
4 MR. MATHEWS: Well, I think you're going to have to  
5 give us some time to work it out. We were going to do that  
6 under an agency report. It's actually listed under agency  
7 reports.

8  
9 MR. GINNIS: Well, let's leave it there.

10  
11 MR. MATHEWS: Okay. All right. The next letter under  
12 Tab G, as in Galena, is a letter that I sent to the chair of  
13 all the captures of the regional council recommendations for  
14 his review and accuracy, and then as a preparation tool for the  
15 upcoming board meeting. To the rest of you, that may not have  
16 a lot of meaning to you, but it could. Chuck is your chair  
17 now. Maybe he'll have a scheduling conflict. I have to get on  
18 the phone and call Gerald up and see if he can go. So we may  
19 distribute this a little bit widely in case there's a  
20 scheduling conflict. But this is just basically what the  
21 recommendations were. I won't go through them in detail at  
22 this time, but this is what was provided for him to prepare for  
23 the meeting, and to double check that I capture right from  
24 notes and from the transcript. Okay. And that takes up a lot  
25 of space, because you guys commented on quite a few proposals.  
26 Then we come to a letter that has a title, "Denali National  
27 Park and Preserve Subsistence Resource Commission." Again,  
28 this is kind of late, but I try to get this to you so you  
29 understand that you're linked with these other entities. This  
30 was their recommendations or comments on proposals that were  
31 going before the Federal Subsistence Board. I really don't  
32 need to summarize them, but it just shows you that Denali  
33 Subsistence Resource Commission is working very hard to  
34 communicate with you.

35  
36 MR. NICHOLIA: Mr. Chair?

37  
38 MR. MILLER: Yes, go ahead, Gerald.

39  
40 MR. NICHOLIA: I have a letter I gave to Hollis, and  
41 that verifies that we've been working together to issue permits  
42 to eligible people on the Denali Preserve. And we went through  
43 the effort of setting up dates and kind of going on trying to  
44 ask all the people if they would. But it was mostly the elders  
45 that said they went over that far, and most of the younger  
46 generation, my age and this age in here, doesn't go around that  
47 far anymore, because trapping is not really that feasible  
48 anymore. It wouldn't cover the costs, the expense, of going  
49 over there and back. You have a copy of this letter right



50 here.

0106

1 MR. MATHEWS: I think I can -- yeah, that would --  
2 well, that's correspondence between you, as working for Tanana  
3 Tribal Council, and the National Park Service. For those that  
4 need the linkage to the regional council, at the last meeting  
5 you recommended that Tanana become a resident zone community  
6 for Denali National Park. That precipitated these meetings,  
7 and Hollis will give more of an overview of that as we go  
8 further, and we'll keep you updated as that proceeds, to  
9 determine if Tanana is a resident zone community or not. Okay?

10  
11 MR. GOOD: Mr. Chair?

12  
13 MR. MILLER: Go ahead, Nat.

14  
15 MR. GOOD: This letter from the Denali National Park  
16 and Preserve, I think you have the wrong letter here, because  
17 it's actually written to the Southcentral Regional Advisory  
18 Council.

19  
20 MR. MATHEWS: It shows Eastern Interior on the bottom,  
21 if you're talking the one on March 29th.

22  
23 MR. GOOD: Well, it says a carbon copy to us, but it  
24 has responses for Southcentral Regional Advisory Councils. I  
25 find it very confusing here. I don't find any reference to us,  
26 just to Southcentral Regional Councils recommendation. Am I  
27 missing something here, or ....

28  
29 MR. MATHEWS: No. Southcentral and Eastern Interior  
30 have proposals that affected both of them. And Denali decided  
31 to focus on Southcentral for that, and they wanted you copied.  
32 I don't know if that clears it up or not.

33  
34 MR. FLEENER: They're just giving us a copy since  
35 they're working with us, and we appoint the ....

36  
37 MR. GOOD: But they didn't have the responses to ours.

38  
39 MR. MATHEWS: Maybe Hollis -- I'm losing you on this,  
40 so I don't want to take up too much time, but maybe Hollis can  
41 help us out.

42  
43 MR. TWITCHELL: Thank you Chair, Council. This letter  
44 is directed to the Federal Subsistence Board, and it's to them  
45 that the SRC was communicating their positions on proposals  
46 that would affect the Denali area users. And listed in there  
47 you'll see a number of proposals, and some of those proposals  
48 were Southcentral Region area proposals, and some were Eastern  
49 Interior Council proposals. So what they decided to do was

50 just to copy the different regions that the proposals they

0107

1 commented on would include. And that's why they listed both  
2 Southcentral, for some of those proposals listed above, and  
3 also Eastern, for Proposal 71, I think specifically dealt with  
4 the Eastern Interior Region.

5  
6 MR. GOOD: It just seems strange that they mention  
7 Southcentral Regional, and no mention of Eastern Interior,  
8 other than as a carbon copy.

9  
10 MR. FLEENER: It doesn't say Eastern Interior, but  
11 Proposal 71 does say Unit 20(A-D).

12  
13 MR. GOOD: Right.

14  
15 MR. TWITCHELL: It's just the way the chair authored  
16 the letter, so is that misleading to you?

17  
18 MR. GOOD: Oh, well, to the extent that it would --  
19 yeah, it was confusing here. I noted the Southcentral Regional  
20 Advisory Council's proposals, and skimmed through that. I  
21 didn't see any mention of us as Eastern Interior. That was why  
22 I asked.

23  
24 MR. FLEENER: Thank you, Hollis.

25  
26 MR. GINNIS: Mr. Chairman?

27  
28 MR. MILLER: Go ahead.

29  
30 MR. GINNIS: Vince -- let's see, what was I going to  
31 ask you here? Oh, is there some question here regarding Tanana  
32 as a community -- or what they call a community zone?

33  
34 MR. FLEENER: Resident zone.

35  
36 MR. GINNIS: Resident zone for the use of Denali Park?  
37 Is that what's going on here?

38  
39 MR. MATHEWS: Yes. At the Tanana meeting, you passed a  
40 motion that they should be a resident zone community. The Park  
41 Service is going through the process of evaluating, do they  
42 meet the criteria for resident zone community status? Not to  
43 cut you off, we can discuss that now or wait until when the  
44 agency brings this up. I don't want to defer things, but  
45 that's what happened there, and they're responding to it. And  
46 Gerald's been involved with Hollis on some other parts. And I  
47 suppose in answer to your question, yes, there is a question if  
48 Tanana is a resident zone community. And the Park Service is  
49 going through a process to determine that.



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1 MR. GINNIS: Well, I guess the only thing I have to say  
2 about it, and I'll leave it at that, is that when we were in  
3 Tanana, we went into some lengthy discussion about this. There  
4 were some testimony provided by the residents of Tanana; in  
5 fact, even by one of the council members that were on the board  
6 at the time. And if that isn't justification enough, I don't  
7 know what is.

8  
9 MR. MATHEWS: Well, I would either wait for the  
10 discussion on it, or ....

11  
12 MR. GINNIS: Okay, I'll leave it there. Thank you.

13  
14 MR. MATHEWS: Okay. With not much more said, that next  
15 letter from Denali Subsistence Resource Commission discussed  
16 what we just laid out, that they took up your request for that,  
17 and they say passed a motion unanimously recommending park  
18 staff assist the community. Hollis and Gerald can talk more  
19 about that. Permits, the 13.44 permits -- I'm going through  
20 this rapidly, because they'll cover all this in detail. And  
21 that the commission also recommended further information be  
22 gathered. And Hollis and Paul will probably talk more about  
23 that. The next letter was from Miki Collins. We sent a letter  
24 of appreciation for past work as your appointment to the Denali  
25 Subsistence Resource Commission. This is her letter responding  
26 to that. Okay, then we go to the newsletter, and I stuck it in  
27 there asking you guys to look at the newsletter at your  
28 leisure. You got it in the mail. Does it work? Are there  
29 changes? Do we need it? If you have time to comment on that,  
30 please let me know, because I'm hoping to do another newsletter  
31 after this meeting, but for sure after your spring meeting do  
32 another newsletter. And I kind of need your input on the  
33 newsletter and that, so ....

34  
35 MR. FLEENER: Mr. Chair, what would be the mail-out for  
36 this?

37  
38 MR. MATHEWS: The newsletter, I didn't the mail-out  
39 with me. I was a little bit conservative in its mail-out. It  
40 went to your members. It went to a couple of the agencies, and  
41 it went to -- I don't know how expansive I got with village  
42 councils. Now that I've not heard negative response, then I'll  
43 open it up probably to the full mailing list for Eastern  
44 Interior. The topics in the newsletter makes it extremely  
45 difficult to write. That's why I kept it kind of narrow to see  
46 how effective it would be. Okay, that's up to you to get back  
47 to me one on one. I'm wide open for doing it or not doing, if  
48 that's the feelings. But I felt it was one tool to communicate  
49 what you've done to more people, in addition to the news

50 releases which I've gotten written now. In part of the

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1 process, in addition to phone calls, et cetera, I'm trying to  
2 provide each council member the tools to network in your area,  
3 because that's the only way this is going to work. And this is  
4 as far as I can go on some of this. I hope that you  
5 individually will be contacting communities in your area after  
6 these meetings as to what happened. If you need assistance  
7 with that, call me up. I can dial everybody together and drop  
8 off the line if you want to talk to different communities,  
9 especially when we get into proposal phase, to get their  
10 comments and that.

11  
12 MR. FLEENER: Mr. Chair, I think it's a good  
13 opportunity, and it's a good tool to use for us when we go back  
14 to our councils. You know, instead of dragging 36 pounds of  
15 paper, we can take this newsletter and go over briefly what is  
16 most interesting to us, as long as you're coming back to us and  
17 asking us, what do you think should go in the newsletter.

18  
19 MR. MATHEWS: Yeah. And I can come back to you pretty  
20 much after the fact. If you want me to, I can run drafts by  
21 you, but that, to be honest with you, will really slow up the  
22 process. I tried to squeeze this in in other meetings, so ....

23  
24 MR. FLEENER: Well, at least the opportunity to  
25 comment, you know. If you let us know when your next one is  
26 going to be produced, we can say, maybe you should discuss this  
27 topic or something.

28  
29 MR. MATHEWS: And I may be calling you to do different  
30 articles, too. Life would be a lot easier on some of these  
31 topics if I could be your tool to get what you want in the  
32 newsletter in there. It's hard when you're balancing several  
33 different programs at once.

34  
35 MR. MILLER: Go ahead, Lee.

36  
37 MR. LEE TITUS: Thank you, Mr. Chair. On this  
38 newsletter, on page 2, down on the Statewide Governor's Task  
39 Force's Subsistence Plan, way down in the last column, there's,  
40 "The goal of the Federal Subsistence Program, as well as the  
41 Department of Interior, continues to be return unified  
42 management of fish and game to the State of Alaska as soon as  
43 possible." And that just brought up a comment that Steve made  
44 earlier about Title VIII of ANILCA, and the provisions that  
45 protects subsistence. And this statement here is contrary to  
46 that law. I mean, there's no state law that'll protect me from  
47 subsistence hunting and fishing.

48  
49 MR. FLEENER: I think that's a goal of the -- it's not



50 just to turn it over, that's not the goal. The goal is to get

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1 them in compliance, and then turn it over, if I can make an  
2 assumption.

3  
4 MR. BOYD: That's correct.

5  
6 MR. FLEENER: So they're not -- their goal isn't to  
7 just hand it back over, I should hope?

8  
9 MR. BOYD: The goal is to get the State of Alaska  
10 unified management in compliance with Title VIII of ANILCA.

11  
12 MR. MATHEWS: Okay. Then I'll move on to the  
13 correspondence sent. I'll do it a big more rapidly, unless  
14 there's questions. We're going to talk about trapping. Your  
15 first letter there was to Virginia concerning comments on  
16 leg-hold traps on National Wildlife Refuges.

17  
18 MR. FLEENER: What tab are you on?

19  
20 MR. MATHEWS: I'm at Tab H, as in Holy Cross.

21  
22 MR. FLEENER: Our first one is to U.S. Fish and  
23 Wildlife Service, Dear Sirs. But it does say comments on  
24 leg-hold, though.

25  
26 MR. MATHEWS: Okay, right. This was in response to  
27 them. You're on National Wildlife Refuge, looking at trapping  
28 uses on refuges nationwide. And this was your response taken  
29 from your meeting. And you can see it was copied to all the  
30 ten chairs, so all ten chairs got a copy of that. The next  
31 letter is to Steve Martin, Park Superintendent of Denali  
32 National Park. That was your appointment of Paul Starr to the  
33 Denali Subsistence Resource Commission. I'll kind of go  
34 through these fast, unless someone wants to stop me, or has a  
35 question, I should say. The next letter is to Mitch  
36 Demientieff, the Chair of the Federal Subsistence Board. You  
37 requested that the board reinstate a rural requirement for  
38 regional council membership, and you wanted that clear on that.  
39 That's been forwarded to the board. Okay, the next one is to  
40 Mr. Boyd, who's right next to me. This is requesting a special  
41 meeting of the regional council to address fisheries expansion.  
42 And when we get into fisheries, we're going to talk about that,  
43 so there has been a response to your letter. Okay, the next  
44 one - it gets a little easier, I think - that's to John Jarvis,  
45 to Wrangell-St. Elias. That's your appointment of Frank  
46 Entsminger to the Wrangell-St. Elias Subsistence Resource  
47 Commission. And there's the letter to Miki Collins for her  
48 past involvement with the Subsistence Resource Commission,  
49 thanking her for that. There was quite a few letters

50 generated.

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1           Anyway, the next letter is August 25th to Thomas Boyd  
2 again. This is requesting that the nomination process consult  
3 with local governing bodies. We have done that. We've made it  
4 a platform to part of our nomination process to expand our  
5 context when we deal with the nomination process of selecting  
6 individuals for the open seats. So we've opened our scope on  
7 contacting different people. The next ....

8  
9           MR. GINNIS: Does this -- this thing cover it, the  
10 process?

11  
12          MR. MATHEWS: Good question. It covers it in general  
13 terms. I don't know if it goes into the detail that you might  
14 be asking. It may in the gray one; it should in the gray one.

15  
16          MR. GINNIS: Because that's change from how it's been  
17 done before, and I just want to make sure that it's a ....

18  
19          MR. MATHEWS: It's the change how it was done in the  
20 last few years, correct.

21  
22          MR. GINNIS: So I'm just wanting to ensure that it's in  
23 here, so everybody understands it.

24  
25          MR. MATHEWS: Yeah, we can note it in there, but I know  
26 it's in the directives that we give to the nomination panels,  
27 that they look beyond the references that are on the  
28 applications. And I generate a list of key contacts, that they  
29 really have worked diligently on, on calling on nominations,  
30 people that have been nominated, to find more about their  
31 strengths. Okay, the next one is a response. Steven Ginnis  
32 brought this up earlier about the action at the last meeting  
33 concerning what Mr. Tritt brought from the Villages of Arctic  
34 and Venetie concerning Arctic Village Sheep Management area.  
35 So this is the letter expressing that staff is available if  
36 they would like to assist in some writing proposals. Well,  
37 actually, this first letter is a support for their request, I'm  
38 sorry. The next letter I believe -- in there is if they need  
39 assistance, please give us a call on that. We've discussed the  
40 Arctic Village Sheep Management area already, and the caribou,  
41 that the villages are working with the refuge manager and other  
42 staff to look at other ways of addressing that.

43  
44          Okay, the next letter is to Jon Jarvis, Wrangell-St.  
45 Elias. This was again in support of having all rights of  
46 Native subsistence users to hunt within Wrangell-St. Elias  
47 National Park and Preserve. And this encouraged positive  
48 action to add the communities of -- and I don't have them here.  
49 Oh, I do. Tetlin, Northway, and Dot Lake. And they may -- you

50 may want to ask them, or they may be presenting, when they do

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1 agency reports, the status of that. Okay, I'll just keep  
2 moving. The next one is to Florence Collins and John Vale.  
3 They're chairs of the two Subsistence Resource Commissions you  
4 deal with. And letter of support be sent to them, and that we  
5 need to work out additional ways of improving communication.  
6 And there's a list of the options down there. One is exchange  
7 of meeting minutes; two, increased direction to support staff  
8 to carry concerns to meeting; and three, reporting by  
9 appointees in writing or in person. Well, that letter  
10 indirectly, in part of it, helped get Mr. Paul Starr your  
11 appointment to Denali SRC. My understanding, Frank would be  
12 here, he may still be here, Frank Entsminger, may still be  
13 coming. The Park Service agrees that it would be wise to have  
14 them at the meeting. And that's all the letters that I know of  
15 that we used your letterhead on, or that your letterhead went  
16 out on. And that's all the letters I know that are received.  
17 If you received letters, please let me know. Sometimes I don't  
18 get copies, and your files will not reflect that. So if you  
19 receive letters from other chairs for whatever reason, then let  
20 me know so I can copy those, because with the movement it's  
21 good to have those in the file.

22  
23 MR. FLEENER: Mr. Chair, we did receive a response from  
24 Florence Collins on this letter dated August 25th, and I've got  
25 a copy of it. Vince sent me this copy, and ....

26  
27 MR. MATHEWS: Okay, I didn't get it in here.

28  
29 MR. FLEENER: Right. But she just said that she agrees  
30 that the more closely the council and commission can work  
31 together, the better the results will be for subsistence users,  
32 basically. There's a few more words. If you guys need to take  
33 a look at this letter, I've got a copy here.

34  
35 MR. MATHEWS: Mr. Chair, that's all the correspondence  
36 sent and received, or received and sent, that I know of. And  
37 that would bring us up to an update on fisheries.

38  
39 MR. MILLER: I think we'll call for a five-minute  
40 break.

41  
42 (Off record)

43  
44 (On record: 4:40 p.m.)

45  
46 MR. MATHEWS: Mr. Chairman, while the room is kind of  
47 settling down, ....

48  
49 MR. FLEENER: Stand by one, Vince, the chairman has

50 something to say.

0113

1 MR. MILLER: Yeah, this message we got from Russell  
2 regarding giving his agency report today, do you want to put  
3 that up next, or wait until ....

4  
5 MR. MATHEWS: Well, Mr. Chairman, I think fisheries  
6 should not take that long. I'll ask if anybody's here from the  
7 governor's office to cover the Governor's Task Force. Nope, I  
8 don't see anybody. Does the state want to ....

9  
10 MR. GINNIS: You mean you didn't invite him, the  
11 governor?

12  
13 MR. MATHEWS: No, I ....

14  
15 MR. GINNIS: Oh,

16  
17 MR. FLEENER: We scolded him about that earlier.

18  
19 MR. MATHEWS: Yeah. Did anybody from Alaska Department  
20 of Fish and Game want to talk about the Governor's Task Force?  
21 Seeing no hands, ....

22  
23 MR. MILLER: No comment?

24  
25 MR. MATHEWS: .... then we're right into agency  
26 reports. So maybe at that time there can be some switching  
27 around, if there's an agreement.

28  
29 MR. MILLER: Okay.

30  
31 MR. MATHEWS: I did put on each of your chairs, those  
32 that needed to, your travel forms to fill out and send back so  
33 you get reimbursed. I also put down a sheet that's profile --  
34 those that were in the Fairbanks office, you already did this.  
35 Those that weren't, that's just so we can make sure we get the  
36 right airline, if you have a preference for smoking or  
37 nonsmoking rooms, et cetera, et cetera. So fill that out and  
38 get it back to me, otherwise you'll be stuck on any old airline  
39 that we think of. Okay?

40  
41 MR. GINNIS: I believe that.

42  
43 MR. MATHEWS: I know that. Okay, sorry for that, but  
44 that's really important. I don't want to be flippant with  
45 that, but we don't want to put you on an airline that you're  
46 uncomfortable with, and the only way we know that is if you  
47 fill this out or let us know, and this is the way they want to  
48 do it. So with that, that's it for travel. And if you don't  
49 fill out those forms, you won't get reimbursed, and then you'll



50 be owing money, and that money would come out of future

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1 advances. So it's best when you get home, just fill it out,  
2 send it in, or call me up and I can help you fill it out.

3

4 Expansion of fisheries was going to be by Bill Knauer,  
5 I believe. We do have overheads if he wants, it's up to him.  
6 They came as a package with all ten councils. No? Okay.

7

8 MR. GINNIS: Mr. Chairman, I just want to say something  
9 on this. I know that, you know, with Stevens' extension of  
10 another year, it's probably not something that we need to deal  
11 with right now. But I would like to suggest that when this  
12 thing ever does come about, that a special meeting of this  
13 council be held to review, not only the regulations, but I  
14 guess kind of give us an update of how they're going to take  
15 over the management of the fisheries. You know, I guess I'm  
16 concerned about allocation issues, I'm concerned about the  
17 statement goals, you know, things of that nature. So I would  
18 ask that as a request. And I'm sure you got money for it,  
19 right, for a special meeting?

20

21 MR. BOYD: I think ....

22

23 MR. GINNIS: Don't shake you head, say yes. Say yes  
24 once in a while.

25

26 MR. BOYD: Yes, once in a while. Yes, we do. I think  
27 we can handle that, Steve.

28

29 MR. GINNIS: But you understand what I'm saying?

30

31 MR. BOYD: Yeah.

32

33 MR. GINNIS: It's a major area if we were going to get  
34 into it. And I think it's worth our time to spend a day or  
35 whatever it takes to discuss it.

36

37 MR. KNAUER: Mr. Chairman?

38

39 MR. MILLER: Go ahead.

40

41 MR. KNAUER: I would like to give a very short  
42 abbreviated brief, in light of both the State Task Force  
43 attempts, and also the amendments that have been put forth by  
44 Senator Stevens, along with the continued moratorium. It does  
45 change things a little bit. We had been proceeding towards the  
46 publication of a proposed rule, and the release of an  
47 environmental assessment. As you're aware, Senator Stevens did  
48 place the moratorium that would continue through the first of  
49 December 1998, prohibiting the publication and implementation

50 of a final rule. Now, that does not mean that we will not be

0115

1 publishing a proposed rule. There is a very high likelihood  
2 that we will be publishing a proposed rule sometime prior to  
3 that. We do not know when yet. After that rule, the proposed  
4 rule, is published, we will be having a regional council  
5 meeting in each of the regions. We will probably tie them to  
6 public hearings. We will have additional public hearings also.

7  
8 As you're aware, the amendments that Senator Stevens  
9 has included with the Interior Appropriations Bill are  
10 amendments to ANILCA. They only become effective if the state  
11 meets certain requirements; in other words, passes amendments  
12 to its constitution and comes into compliance. So it's a  
13 three-tiered stool. The missing of any one of the three legs  
14 causes the stool to fall, and in essence, if the state does not  
15 come into compliance, those amendments go away and we're right  
16 back to where we would be without them, implementing the  
17 expanded fisheries management in accordance with the Katie Jon  
18 decision. But we will be having a regional council meeting in  
19 each region for that.

20  
21 MR. GINNIS: The only thing I could add to that is that  
22 this whole Stevens' amendment very well can change if there's a  
23 presidential veto. You know, it'll just go back through the  
24 process. It'll have to come back through the process, so I  
25 think that's the only thing I got to add to it.

26  
27 MR. KNAUER: That is correct, if there is a  
28 presidential veto.

29  
30 MR. LEE TITUS: Mr. Chairman?

31  
32 MR. MILLER: Go ahead, Lee.

33  
34 MR. LEE TITUS: I'm getting confused on this. I mean,  
35 there's parts in this bill that calls for the state to comply  
36 with ANILCA, and then there's another part in there that's to  
37 amend ANILCA?

38  
39 MR. KNAUER: That's correct.

40  
41 MR. LEE TITUS: So we don't know what we're going to  
42 comply with, or the amendments are written?

43  
44 MR. KNAUER: The state compliance, if it would pass the  
45 amendments to the State Constitution, would be to comply with  
46 the amended ANILCA. That's ....

47  
48 MR. LEE TITUS: So the amended ANILCA will do away with  
49 Title VIII?



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1 MR. KNAUER: No, no. It amends Title VIII to further  
2 define customary trade, it further defines rural, it further  
3 defines customary and traditional, it redefines the makeup of  
4 the regional councils. And those are some of the things that  
5 it does.

6  
7 MR. LEE TITUS: And from my understanding of the  
8 amendments to ANILCA, it really waters down the issues.

9  
10 MR. GINNIS: Yeah, you're right, Lee. You know, the  
11 position that was taken at the Subsistence Summit as far as  
12 ANILCA - what do you call it - amendments, was that the Native  
13 community was supported only if it strengthens the Native  
14 position. You know, we're not saying that we support ANILCA  
15 amendments, we're only saying that it supported only if it  
16 strengthens our position. There's a real difference there.  
17 And this -- the way I understand Stevens' amendment, is that  
18 it's generated as a result of the Governor's Task Force  
19 proposal. You know, in it also has some amendments to the  
20 ANILCA law, and I think Stevens is just trying to address that  
21 through his bill. That's the way I understood it.

22  
23 MR. MATHEWS: Mr. Chairman, I do have copies of the  
24 bill. I'm not going to talk about it, because -- well,  
25 whatever, there's copies here, that if you want to look at it.  
26 Some of you got copies earlier. Those that didn't, I can pass  
27 them out to you.

28  
29 MR. GINNIS: The other thing I might add to that is  
30 that, you know, the legal analysis was done by RurAL CAP,  
31 attorneys in - what's her name - Carol Daniels. And also the  
32 AFN had an attorney that also did an analysis on this thing.  
33 You might want to request that from them.

34  
35 MR. PHILIP TITUS: I've got a question. You said the  
36 three legs don't stand together, what's going to end up with  
37 subsistence?

38  
39 MR. KNAUER: Well, subsistence would -- three supports,  
40 the change to Title VIII of ANILCA, the change to the State  
41 Constitution, and the change to state law, would all go into  
42 effect to provide a subsistence priority.

43  
44 MR. PHILIP TITUS: For anybody? For who?

45  
46 MR. KNAUER: For rural residents.

47  
48 MR. GINNIS: That's how it's written now. Now, the  
49 summit supports Alaska Native preference, Alaska Native

50 priority, rather. It's the Native priority.

0117

1 MR. PHILIP TITUS: Seem like when they pass ANILCA, it  
2 was for the land claims didn't address subsistence. And the  
3 land claims was to do with Natives, and they kind of phased  
4 that part out. It seem like the two should be working together  
5 instead of clashing and kind of strip away one aspect of it.  
6 That's my perception of it.

7  
8 MR. KNAUER: You're correct that the Native Claim  
9 Settlement Act did address the Native situation. However,  
10 Title VIII specifically addressed both Natives and non-Natives,  
11 and provided a preference for the rural Alaska resident,  
12 whether it was Native or non-Native.

13  
14 MR. PHILIP TITUS: What I'm saying is, they wouldn't  
15 have ANILCA without the land claims.

16  
17 MR. MATHEWS: Mr. Chairman, that's correct, there would  
18 not be ANILCA without the Native Claim Settlement Act, because  
19 of the conference committee request, and also because of  
20 17(D)(2), the D(2) lands. So yes, there would not be ANILCA if  
21 you didn't have ANCSA.

22  
23 MR. LEE TITUS: That's how we perceive that it's Indian  
24 legislation.

25  
26 MR. KNAUER: That's all I have, Mr. Chairman.

27  
28 MR. MILLER: Are there any other questions?

29  
30 MR. MATHEWS: The bottom line would be to stay tuned.  
31 If things change, I, Bill, Tom, everybody else, will be on the  
32 phone trying to reach you to set up meetings, et cetera. So  
33 just stay tuned on it. I always caution you on that, because  
34 we may need to call a meeting quick, but right now it doesn't  
35 look like we need that. But midnight call at night -- no, it  
36 won't happen that way, but we'll keep you informed.

37  
38 MR. MILLER: Let's go on to the next agenda item.

39  
40 MR. MATHEWS: The next item is the Governor's Task  
41 Force.

42  
43 MR. MILLER: Oh, wait a minute.

44  
45 MR. KNAUER: You already did away with that one.

46  
47 MR. MATHEWS: Well, no we didn't deal with it. You  
48 have two copies of it; one, the most current one, is in your  
49 yellow folder. Obviously, there's no one here to speak on it,



50 but you do have the copy of September 23rd. The copy that's in

0118

1 your book -- I don't want to mislead the governor, he's kind of  
2 a tall guy, I don't want him chasing me down. The one in your  
3 book is the earlier version, so that I need to make clear that  
4 you have the most recent version in your yellow notebook, and  
5 you have the earlier version in your big meeting book. And  
6 with that, I have nothing more to share on it.

7  
8 MR. MILLER: Any questions?

9  
10 MR. MATHEWS: Okay, that brings us up to agency  
11 reports. We had a public request, unless you need something  
12 else on the Task Force, or whatever.

13  
14 MR. MILLER: No.

15  
16 MR. MATHEWS: Okay. The agency reports are laid out,  
17 as you see. We've had two requests, one from William Miller  
18 to talk about, number one, Native corporations, tribal  
19 councils, et cetera. And then you had the request from  
20 Wrangell-St. Elias staff to be addressed. So I don't know  
21 how -- if you want to shift them or keep them as is. Park  
22 Service is the second one on the list.

23  
24 MR. MILLER: What time were they supposed to leave, or  
25 what ....

26  
27 MR. MATHEWS: I don't know.

28  
29 UNIDENTIFIED SPEAKER: We've got to go back tonight  
30 sometime. We can stay as long as you want, although we've got  
31 to -- we can't be here tomorrow.

32  
33 MR. MILLER: Okay.

34  
35 MR. MATHEWS: We should cover it tonight, unless ....

36  
37 MR. MILLER: Oh, I'm sure we'll get to it.

38  
39 MR. GINNIS: What are you talking about?

40  
41 MR. MATHEWS: Agency reports.

42  
43 MR. MILLER: Yeah. Wrangell-St. Elias.

44  
45 MR. GINNIS: For who? Wrangell-St. Elias?

46  
47 MR. MILLER: Yeah.

48  
49 MR. MATHEWS: We also have a public request to speak

50 from William Miller, and he wants to talk about Native

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1 corporations and tribal councils, et cetera. And so there is a  
2 request to talk on that, and I think Bill is here.

3  
4 MR. MILLER: Shall we take the request first?

5  
6 MR. GINNIS: Mr. Chairman, why don't we just go down  
7 the way it's listed there.

8  
9 MR. MILLER: Okay. Well, we'll go ....

10  
11 MR. GINNIS: You know, just whoever wants to address us  
12 will address us, you know.

13  
14 MR. MILLER: Okay, well, we'll go with ....

15  
16 MR. GINNIS: Native corporations, start off with?

17  
18 MR. MILLER: Native corporations, then, first.  
19 Mr. Miller?

20  
21 MR. WILLIAM MILLER: Thank you, Mr. Miller. It's nice  
22 working for your son. Bill Miller, President, Dot Lake Village  
23 Council. And it's not the Native corporation, but the tribal  
24 councils in conjunction with the Native corporation I'd like to  
25 address. And one of the main things that seems to always be  
26 missed -- and I wish this group here would try to take it to  
27 the Federal Subsistence Board, to address 801 of ANILCA,  
28 Section 801. The very lead-in paragraph that's supposed to  
29 explain the whole subsistence issue defines very definitely  
30 that subsistence is important and a necessity to Natives on  
31 Native lands, and to Natives and non-Natives on public lands.  
32 It also addresses the difference when it specifically states  
33 that it's important to Natives because of a list of issues,  
34 including traditional, and to non-Natives for the same listed  
35 issues, except they drop "traditional" and they put "social."  
36 And if you look at this and try to analyze it, first of all,  
37 the definition of Native lands in ANILCA, the front section of  
38 ANILCA, defines Native lands as Native corporation lands.  
39 Section 801 says that it's important to Natives on Native  
40 lands. The way I've always looked at this is that there should  
41 be a way for Natives to hunt on their Native lands without the  
42 interference. The only thing has ever been addressed by the  
43 state or by the federal government is the second portion of  
44 that, Natives and non-Natives on public lands. It's never been  
45 addressed of the Natives on Native lands.

46  
47 The other issue that's never been addressed is the  
48 difference between the traditional and the social status. The  
49 traditional status of Natives can be interpreted as the

50 physiological and psychological need for their particular

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1 subsistence food that they've been raised on for generations,  
2 as opposed to the non-Native need, social, which according to  
3 how you interpret it, could mean my ego; I'm rural, I'm  
4 non-Native, I want to go get a moose so I can tell everybody I  
5 shot a moose. I want to get a big moose so it's bigger than  
6 everybody else's. The group I hang out with likes to hunt, so  
7 I want to hunt. This is a social need. The traditional need  
8 is a physiological and psychological need that can only be  
9 satisfied with the traditional food.

10  
11 The tribal councils, the Venetie case right now with  
12 Indian country, with the possibility of corporation lands  
13 becoming Indian country, one of the things that should be  
14 looked at is the very strong thing that was approached earlier  
15 in the meeting here, is the co-management of resources on these  
16 Native lands. And as an example, the Village of Dot Lake,  
17 which I've tried to use before in meetings, hypothetically, if  
18 they needed nine moose to sustain the village, there should be  
19 a method that they can be able, in July when they traditionally  
20 hunted moose, to take at least three to four of these moose off  
21 of their Native lands for their summer dry meat. And to take  
22 the remaining five during the regular state season, or federal  
23 season, or whatever have you, on whatever lands are open.  
24 These issues have never been addressed. And that was my  
25 comments as far as the tribal councils and the Native  
26 corporations go. Thank you.

27  
28 MR. MILLER: Do you have any questions or comments?  
29 I'd like to ask Vince, do you have, by chance, have a copy of  
30 that 801, ANILCA?

31  
32 MR. MATHEWS: Yes, I do. I have a copy of 801 here.  
33 And what he's addressing, and I know what -- well, he can  
34 correct me if I misunderstood him. I think he was pointing out  
35 the difference in the cultural existence and the social  
36 existence. He used the term "traditional," which is in there.  
37 But the difference between the Native and non-Native use --  
38 I'll just read it so we get it straight. "This Congress finds  
39 and declares that the continuation of the opportunity for  
40 subsistence uses by rural residents of Alaska, including both  
41 Natives and non-Natives on public lands, and by Alaskan Natives  
42 on Native lands, is essential to Native physical, economic,  
43 traditional, and cultural existence, and to non-Native  
44 physical, economic, traditional, and social existence. So the  
45 difference is between cultural existence and social existence,  
46 and I think that's -- he covered that in detail. That's  
47 Section 801, No. 1.

48  
49 MR. MILLER: That seems pretty, you know, cut and dry

50 there. It's kind of hard -- you know, how this thing is so

0121

1 misinterpreted all the time.

2

3 MR. WILLIAM MILLER: Well, the rest of Section 8,  
4 strictly addresses the rural residents on public lands. That  
5 was my point, is the rest of the section does not address the  
6 lead-in paragraph. And this is what was supposed to have  
7 corrected the injustice that we've done under ANCSA, and it's  
8 never been corrected.

9

10 MR. MILLER: Go ahead, Lee.

11

12 MR. LEE TITUS: I think one of the -- the definition  
13 of -- I mean, under these laws, a Native corporation is  
14 considered public land, right?

15

16 MR. PHILIP TITUS: Private.

17

18 MR. MATHEWS: Private land.

19

20 MR. FLEENER: Private land, fee simple land.

21

22 MR. PHILIP TITUS: Private shareholders, corporate  
23 asset.

24

25 MR. FLEENER: It's considered private fee simple land,  
26 under state authority.

27

28 MR. LEE TITUS: But it's still under state  
29 jurisdiction, though, right?

30

31 MR. FLEENER: Yes.

32

33 MR. NICHOLIA: Mr. Chair?

34

35 MR. MILLER: Yes, go ahead.

36

37 MR. NICHOLIA: There's been some tribal councils within  
38 Alaska that's working with our village corporations to more  
39 better protect the village residents against like what you  
40 called the social against traditional. There is ways that you  
41 could protect your Native lands, if you work together; the  
42 tribal council works together with the village corporation to  
43 adopt a resolution, set up a committee from your tribal  
44 councils with your village corporation. And if you set up a  
45 committee and work together, it could be done. One good  
46 example is Koyitlotsina works with their village corporation,  
47 and that's what they have established so far on that. They  
48 (indiscernible) area.

49



MR. MILLER: Vince? According to this then, the state

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1 isn't in compliance with ANILCA under 801, first paragraph. Is  
2 that -- that's my understanding. Is that right?

3  
4 MR. MATHEWS: They're not in compliance under the  
5 definition of subsistence. The Alaska Supreme Court found  
6 rural to be unconstitutional, so that's what triggered them out  
7 of compliance. That's under Section 803. Not to get you into  
8 terminologies, but it's a definition change under state law,  
9 due to supreme court action. I'm not a lawyer, so we have  
10 state people here that, if I get this wrong, I assume will  
11 raise their hands, but that's where the noncompliance came in,  
12 is the rural component of the definition of subsistence.

13  
14 MR. MILLER: You know, going back to this morning, the  
15 thing we had about the joint management between the state and  
16 feds, that little checkoff list that we went through, is there  
17 any way we can possibly work this into it? I mean, they had  
18 their -- they asked for what they wanted. I mean, is there any  
19 way that you could hold them into being in compliance with at  
20 least one section of ANILCA?

21  
22 MR. MATHEWS: Well, again, Fish and Game could come  
23 forward on that, but they're part of the executive branch, and  
24 they can't -- the legislature has to take action to get rural  
25 back in. So the State Fish and Game doesn't have that  
26 authority to insert rural back in. They don't have a higher  
27 authority than the supreme court for the State of Alaska, I  
28 suppose is the bottom line. Does that make sense, or am I  
29 losing you? I lost you? Okay. Well, maybe the state wants to  
30 take a shot at it.

31  
32 MR. BOYD: Let me see if I can help. Section 801 is a  
33 statement of finding by Congress. It sets the stage then for  
34 the law that will be implemented in the rest of the sections  
35 that follow in Title VIII. And because Congress finds  
36 something, it doesn't necessarily mean that they have the power  
37 to deal with it in law. The extent of the U.S. government's  
38 reach, in this case, is on Federal Public Land, and that's  
39 really it. And so when they implemented the law, or when they  
40 set forth laws implementing the policy that they set forward to  
41 provide a protection for subsistence, they could only do so on  
42 federal land.

43  
44 MR. MILLER: So in other words, the wording doesn't  
45 really mean nothing, then.

46  
47 MR. BOYD: Well, I guess that's in the eye of the  
48 beholder. I won't judge that for you.

49

MR. MILLER: You know, it's there in black and white,

0123

1 everybody can read it, but yet that's not being complied with.

2

3 MR. FLEENER: Mr. Chair, I think as long as the state  
4 still has jurisdiction over private land holdings for game  
5 management, the federal government has nothing -- no say. Now,  
6 if Venetie wins this court case, then that may have something  
7 to do with declaring Indian country. And then if all land held  
8 by Natives is declared Indian country, then all Native land  
9 would fall under this. That's kind of a leap ahead, and  
10 several steps skipped, but that could be what takes place. And  
11 I see a nod from Mr. Haynes over there, so that's probably what  
12 is going to take place.

13

14 MR. MATHEWS: Well, being a jail house lawyer, that's  
15 speculation.

16

17 MR. FLEENER: What'd you say, you were in jail?

18

19 MR. MATHEWS: The Indian country issue is still to be  
20 determined, and what powers the Indian country has declared, or  
21 is declared, still has to be worked out, so ....

22

23 MR. FLEENER: Well, that's what I said. I skipped a  
24 few steps, ....

25

26 MR. MATHEWS: Yeah.

27

28 MR. FLEENER: .... but that's the only way this -- that  
29 the Native owned land can be put in that type of jurisdiction,  
30 is if they win that case and it continues from there.

31

32 MR. BOYD: I would like to suggest that maybe getting  
33 into the realm of what laws -- these laws say or don't say  
34 might be getting beyond what the scope of the council and our  
35 business here as staff, and it might mire us down. I would  
36 suggest to you, Mr. Chair, that we move on with some of the day  
37 to day issues that people are dealing with.

38

39 MR. MILLER: Yeah, we could be sitting here and arguing  
40 this forever.

41

42 MR. BOYD: Forever, forever. Yeah.

43

44 MR. MILLER: I still say, you know, it's right there in  
45 black and white. I mean, really, it's pretty easily spelled  
46 out.

47

48 MR. NICHOLIA: Mr. Chairman, there's no kind of  
49 existence (indiscernible - mumbled speech).



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1 MR. MILLER: I don't think so. I guess we'll move on  
2 to the next.

3  
4 MR. MATHEWS: Okay. If there's any other Native  
5 corporation representative here that would like to speak.  
6 There were some here from the tribal council, traditional  
7 council, whatever, from Healy Lake. I don't know if they want  
8 to speak now. They do want to speak tomorrow on a proposal.  
9 Other than that, I don't know of anybody. If I didn't see you,  
10 I apologize.

11  
12 MR. MILLER: Go ahead, Craig.

13  
14 MR. FLEENER: I received a letter here from the Beaver  
15 Tribal Council wishing for support. And I think Vince has  
16 copies, if you want to hand those out. And I can read the  
17 letter. It says Interior Regional Advisory Council. It says  
18 that they request a short presentation on Beaver's plan to  
19 reintroduce the Woodland Bison on lands near Beaver. "We also  
20 respectfully request a letter of support to the Beaver Tribal  
21 Council in care of Chief Bobby Weiner." And so I guess that --  
22 yeah, here's a copy for -- I've got a copy. I don't know if  
23 Mr. Williams is prepared to give a presentation on this at this  
24 time or not, but I guess this has been going on for quite some  
25 time in Beaver. And they've had an interest in the possibility  
26 of reintroducing bison up there. And they've recently  
27 submitted letters to the tribal councils in the Yukon Flats and  
28 to Fish and Game and various agencies, I guess, saying that  
29 they want to take a lead role in doing a bison reintroduction.  
30 And I have been given some copies of some letters that I can  
31 hand out for the council expressing the interest in this  
32 project. And I guess this is just under information.

33  
34 MR. MATHEWS: Craig, do we have copies of this for the  
35 refuge staff and for Fish and Game?

36  
37 MR. FLEENER: I have one copy in my hand.

38  
39 MR. MATHEWS: Okay, I'll make more copies, then, before  
40 the end of the meeting.

41  
42 MR. FLEENER: Did you want to say anything, Paul, on  
43 this? Paul's the Second Chief from the Beaver Tribal Council.

44  
45 MR. WILLIAMS: If there's any specific question ....

46  
47 MR. FLEENER: Can you come to the microphone, please?

48  
49 MR. WILLIAMS: (Mr. Williams is not speaking at

50 microphone throughout his testimony. Some portions are

0125

1 inaudible.) If there's any specific questions, I'll be happy  
2 to answer them the best I can. I'm going to speak to you --  
3 I'm speaking to you as the Second Chief of the Tribal Council  
4 in Beaver (inaudible). And the people of Beaver have been  
5 involved with this for about a year now. They think, you know,  
6 the more they talk about it, the more they think that it's  
7 important for their future. If they start today, it's going to  
8 be maybe eight or nine or ten years down the line that we're  
9 going to receive the benefit (inaudible) to develop a good  
10 herd. And there was a lot of concern about co-management and  
11 us taking care of all of this. But I don't think actually  
12 (inaudible). I think that the way that they figure exactly --  
13 we have to do something because a lot of things is going to  
14 happen with the work there is for them, there being no jobs,  
15 people depending on moose for their family. If we could bring  
16 the buffalo back to Beaver -- a lot of people say, well,  
17 they've never been there before, but we know the elders have  
18 testified to the fact that they've been there before, because  
19 they have old stories about how the older people used to tell  
20 the young guys, who are elders today, how they used to hunt the  
21 buffalo, and what they looked like, and how they acted.

22  
23 So I don't know how to respond to any criticism at this  
24 point, except to reflect what the people's wishes are in  
25 Beaver. And the letters of support that you are reading now  
26 from some of the villages, I didn't promise a lot of letters of  
27 support from more of the Yukon Flats, different organizations.  
28 So I think the reason what we're doing, the first time we see  
29 some Native group taking an initiative and doing this kind of  
30 project, good for you. You know, they say good for you. It's  
31 good for you guys. You guys are deciding what's good for you,  
32 you know. And also they decide whether they bring in the  
33 bison, maybe possibly the most population would come up  
34 (inaudible). But because of the river, hardly anything can be  
35 done. If they're talking about food, what they going to eat?  
36 You know, there's hardly any moose around Beaver. They did a  
37 survey last year and we got 444 moose. That's kind of a  
38 (inaudible) number of acreage that we have, that way we have a  
39 pretty darn good idea how much moose we have. But there's not  
40 enough moose, and more people are using it. Even the  
41 (inaudible), you know, maybe even the Federal Subsistence  
42 permit doesn't work, because other people have come in and  
43 using the moose. I see them (inaudible). And I see that every  
44 time we have a potlatch or a funeral service, we instruct the  
45 young people to go out and get a moose for that purpose. You  
46 know, I don't see why we can't continue to do that.  
47 (Inaudible) and Beaver can make their own decision for their  
48 own future, because this is their doing. You know, nobody's  
49 telling them to do it. When the idea was introduced



50 (inaudible) look like good idea, these fish belong to us.

0126

1 Again, I'm speaking as the individual council member from  
2 Beaver, you know (inaudible). Is there any specific questions  
3 that you want? If not, (inaudible).

4  
5 MR. MILLER: Thank you.

6  
7 MR. LEE TITUS: Mr. Chair:

8  
9 MR. MILLER: Go ahead, Lee.

10  
11 MR. LEE TITUS: Does any of the federal or state agency  
12 have any kind of documentation of bison in this area?

13  
14 MR. MATHEWS: I'll refer to Bob Stephenson. You may  
15 want to come up and -- he's the area biologist for the Fort  
16 Yukon area.

17  
18 MR. STEPHENSON: Thank you, Mr. Chairman. Yeah,  
19 there's a lot of bison skulls that have been found over the  
20 years; Porcupine River, Black River country. They actually  
21 were very common throughout most of Alaska for a long, long  
22 time. It looks like they disappeared maybe a few hundred years  
23 ago. Some elders say 200, some say 400. But they were hunted  
24 by people, and they do find their bones a lot up there. And  
25 the kind of bison that used -- the last bison to live there was  
26 what we call a Wood Bison, which is now found in Canada.  
27 There's a pretty good herd in the Yukon, and then there's more  
28 in the Northwest Territories.

29  
30 MR. GINNIS: Mr. Chairman?

31  
32 MR. MILLER: Go ahead, Steve.

33  
34 MR. GINNIS: You know, if you look at these letters of  
35 support, you'll see one in there that I signed as the Chief of  
36 the Native Village of Fort Yukon. But also note that our  
37 support is contingent on tribal management of this bison herd  
38 that they're referring to. What we're saying is we support the  
39 project only if there's tribal management of it. And that  
40 there's a real -- this is a real issue. And this is something  
41 that I've been hammering at with these guys here, and I still  
42 haven't had an answer, direct answer from them whether there  
43 will be tribal co-management of these resources. To me that's  
44 very important. I would hate to see the state manage a  
45 resource that maybe eventually may become a big game hunting  
46 kind of an activity. So from our point of view, it's a good  
47 idea, but I think -- we think that tribal management of that  
48 herd is essential, I guess I might as well just say it that  
49 way. And what I've been trying to do is trying to get this

50 thing addressed early on in this process, you know. But, you

0127

1 know, I guess under state management I guess that's a question  
2 that's just not popular to even discuss, but from our  
3 perspective it is, you know. So again, we support the project  
4 contingent on tribal management of it.

5  
6 MR. FLEENER: Mr. Chair?

7  
8 MR. MILLER: Go ahead, Craig.

9  
10 MR. FLEENER: I think that as far as what the -- what  
11 I've been hearing from the Beaver Council, is that their wishes  
12 and what they're wanting to do is to have a co-management  
13 committee formed of some sort to work with the state and  
14 whatever other agencies and landowners are in the area. And I  
15 know that the committee hasn't -- it's not formed, or it hasn't  
16 gone far yet, but I think that they are still looking for more  
17 support before they get it -- before they continue with the  
18 project. And I think that our support for the concept of them  
19 doing this project is a good idea. And I think that Beaver's  
20 idea is to work -- some type of a co-management agreement with  
21 the state, and other agencies, of course.

22  
23 MR. GOOD: Mr. Chair?

24  
25 MR. MILLER: Go ahead.

26  
27 MR. GOOD: For anybody not from this general area, be  
28 very careful driving back to Fairbanks, or you may find  
29 yourself a buffalo. And you don't want to find him on your  
30 front bumper. The ones that we have here in the Delta area are  
31 actually Plains Buffalo. They're smaller than the ones that  
32 they're looking to reintroduce. The Wood Bison are much  
33 larger. Personally - I can't speak for other members of the  
34 council - but I think it would be nice if somebody did it  
35 right, brought Wood Buffalo -- Wood Bison back to Alaska where  
36 they were. Right now they're just across the line, and they  
37 could migrate this way, but I don't think the Canadians are  
38 about to allow them to do that. I think it's a worthwhile  
39 project to bring them back to the country where they were.  
40 There are concerns about this becoming a sport hunting animal.  
41 Well, I think they're very justified. The herd here in Delta  
42 is managed on a permit system, and I think your odds are  
43 probably one in 5,000. You put down your \$5, and you've got  
44 that much chance of getting a buffalo. I don't know, when we  
45 talk co-management, I think you're probably interested in not  
46 just co-management, but this is a subsistence type herd as well  
47 here. And I don't know how this is all going to work out, or  
48 if it will all work out, but I think it would be good to have  
49 the bison back one way or another, the animals that were real

50 occupants of this area.

0128

1 MR. FLEENER: Mr. Chair, I think part of the  
2 co-management group that Beaver is working on forming is going  
3 to try to hammer some of those issues out with the agencies and  
4 the other landowners involved. So I don't think that all of  
5 the details have been worked out yet, but that group is  
6 probably going to be handling all of those questions, and  
7 trying to hold meetings to address those issues.

8  
9 MR. PHILIP TITUS: Mr. Chairman?

10  
11 MR. MILLER: Go ahead.

12  
13 MR. PHILIP TITUS: I'm in favor of what Beaver's  
14 proposing, but I looked at that map, and they're surrounded by  
15 that refuge. And I don't want the refuge managers to say we  
16 can't do this because it's -- we never seen buffalo here  
17 before. But you never lived for 200 years, so I'm sure you  
18 never saw buffalo here before. But history of the Native --  
19 the residents says there was buffalo there, and I don't see why  
20 we cannot pursue actions to reinstate the Woodland Buffalo in  
21 that area. Thank you.

22  
23 MR. MILLER: Anything else?

24  
25 MR. LEE TITUS: Mr. Chair?

26  
27 MR. MILLER: Go ahead, Lee.

28  
29 MR. LEE TITUS: I speak in favor of this project, but I  
30 have the same - I don't know what you call it - concerns that  
31 Steve has. I'd like to get more input on the basic issues  
32 that's involved, you know, because there's a lot of unaddressed  
33 issues that have to be worked out with the villages involved,  
34 you know. And, I mean, I don't want all different agencies  
35 fighting among themselves on who's going to hunt and who's  
36 going to -- I mean, you know, we're going to end up like buying  
37 tickets to kill one buffalo, or ten buffalo, you know, get into  
38 a lottery system. All these here have to be addressed before  
39 it gets my full support. And I'd like more in-depth proposal,  
40 because there's a lot of concerns that have to be addressed  
41 before it gets my full consent.

42  
43 MR. FLEENER: Mr. Chair?

44  
45 MR. MILLER: Go ahead.

46  
47 MR. FLEENER: I don't really think that -- I mean, what  
48 you say is valid, but I think that what Beaver's -- the only  
49 thing they're asking for is basically support for the concept,

50 and let them work the details out. We're not going to be

0129

1 dealing with any kind of proposals for regulations or anything  
2 like that until a long ways down the road. And they probably  
3 can't even reintroduce them, if it goes through, for a couple  
4 of years. So I think that, if I'm right, Paul, that you guys  
5 are just looking for a support of the concept. And like the  
6 villages in the Yukon Flats have said in some of the letters,  
7 with the concerns, a lot of them have put concerns in their  
8 letter; you know, the issues that they support. And so we're  
9 just saying that we support the concept also, I think is what -  
10 if I'm right - that type of a letter.

11  
12 MR. LEE TITUS: I'll make that into the form of a  
13 motion.

14  
15 MR. NICHOLIA: Second.

16  
17 MR. MILLER: Moved, second.

18  
19 MR. FLEENER: That we support the concept of the bison  
20 reintroduction by the Beaver Tribal Council. Question.

21  
22 MR. MILLER: Question's been called. All in favor?

23  
24 ALL MEMBERS: Aye.

25  
26 MR. MILLER: Opposed, same sign.

27  
28 MR. GINNIS: Mr. Chairman, again I have to say that we  
29 don't oppose the concept. The only thing we'd like to have  
30 addressed here is tribal management of that resource. So I  
31 want the minutes somehow to reflect -- you know, I don't want  
32 to go against my own resolution here and say I support this  
33 project. It's contingent on tribal co-management of that  
34 resource. This is support of the Native village. And I got to  
35 stick by that. So I hope that you're -- somewhere in the  
36 motion that it reflects that we do support the project, but the  
37 condition of co-management attached to it.

38  
39 MR. MILLER: Maybe you can put that in a letter?

40  
41 MR. GINNIS: No, I don't want it in a letter, I just  
42 want it in the minutes.

43  
44 MR. MILLER: You just want it to show up on the  
45 minutes?

46  
47 MR. FLEENER: Yeah, I think the idea of a concept  
48 doesn't mean that we're saying that we support every aspect of  
49 the project yet, and I'm sure it will come before us again.



50 But like Steve said, you can reflect his interest in the

0130

1 minutes.

2

3 MR. MATHEWS: So then the motion is to support the  
4 reintroduction, and then ....

5

6 MR. FLEENER: The concept of the reintroduction.

7

8 MR. MATHEWS: Okay.

9

10 MR. FLEENER: No reintroduction yet, just a concept.

11

12 MR. GINNIS: So how do I vote? Abstain?

13

14 MR. PHILIP TITUS: Well, we voted already.

15

16 MR. GINNIS: Yeah, I know, but I didn't vote. You see,  
17 you guys went ahead and voted on the motion. I just kind of  
18 held back because ....

19

20 MR. LEE TITUS: You can abstain, or you can vote in  
21 favor of the concept, because your concerns will be addressed.  
22 I mean, your concerns are not -- I mean, they'll be addressed  
23 later on when the project continued on in the planning stages.

24

25 MR. FLEENER: On the co-management committee.

26

27 MR. GINNIS: Okay. Well, anyway, somewhere that should  
28 be reflected in the minutes, okay? What he said.

29

30 MR. MATHEWS: It's all on the tape, and I'll make sure  
31 I get it. But I understand what the motion is, and that your  
32 concern would be addressed in the minutes.

33

34 MR. MILLER: Is there any more Native corporations  
35 or ....

36

37 MR. MATHEWS: That's all I know of.

38

39 MR. MILLER: Okay. Let's move on down to National Park  
40 Service.

41

42 MR. MATHEWS: Under the National Park Service, there's  
43 statewide. I don't know if there's anybody here from the  
44 Anchorage office. So that would bring us right up to Wrangell  
45 and Denali and Yukon-Charley, if they so desire to share  
46 information. In case I forget, because I'm starting to run  
47 around with copies, Hollis did write up a small report. It's  
48 in the agency report section there, in case I forget to bring  
49 that up.



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1 MR. GINNIS: Where's that at? What ....

2  
3 MR. FLEENER: What tab?

4  
5 MR. PHILIP TITUS: What tab?

6  
7 MR. MATHEWS: Well, Hollis will come up and address  
8 that. It would be under Tab K, I believe.

9  
10 MR. WELLS: Hi, my name is Jay Wells. I'm the Chief  
11 Ranger at Wrangell-St. Elias National Park. And most of you  
12 know where that is. A little bit of Unit 12, or actually a  
13 good sized chunk of Unit 12 lies within the park and preserve.  
14 And I know you're running late here, so I'll keep it very  
15 brief. There's three things that I wanted to just mention to  
16 you, give you an update. One is the subsistence plan for  
17 Wrangell-St. Elias. And we thought we'd have copies here from  
18 Anchorage, but apparently our Anchorage staff didn't make it up  
19 here. So I'll pass around the one copy I have and we can get  
20 some sent to you, if you're interested. The other thing was  
21 the resident zone rule making that the council here has written  
22 some letters in support of that. I wanted to update you on  
23 that process. And then I guess I'll talk a little bit about a  
24 statewide Park Service issue, which is this issue paper that  
25 recently came to a conclusion here this summer. And the  
26 council here has been involved with that for at least a year.  
27 You're probably familiar with that. And then I just wanted to  
28 update you on a weir project on the Tanada Creek.

29  
30 The first issue was the subsistence plan for  
31 Wrangell-St. Elias. And it's been pretty clear to me in my  
32 time here at the Wrangells that the subsistence regulations -  
33 not only on the federal side of it, the Federal Board  
34 regulations, but also the Park Service has it's own subsistence  
35 management regulations - are very confusing. And our primary  
36 advisory body, which is the Subsistence Resource Commission,  
37 has struggled with some of these things over the years. So  
38 what the commission asked for was kind of a plan for the  
39 Wrangell-St. Elias that kind of laid out all of the issues that  
40 they'd worked on over the years, and gave sort of a brief  
41 summary of what you can do and what you can't do, sort of the  
42 regulation. And then it tracked each of the issues. For  
43 example, one of the issues, under eligibility, was the addition  
44 of resident zone communities, which I'll talk about in a  
45 minute. So what we did, in cooperation with the SRC, is we  
46 came up with a pretty brief document that's color coded, and  
47 I'll pass this around for you to look at. But the first -- the  
48 yellow pages are just kind of a brief summary that you can tear  
49 out and give to the general public on, say, what it takes to

50 become eligible to hunt in the National Park.

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1 And then for each issue that the commission,  
2 Subsistence Resource Commission, has raised - that's kind of a  
3 salmon colored paper - this particular one-page item deals with  
4 the addition of the Dot Lake, Tetlin, Northway, and Tanacross  
5 as resident zone communities. And this is updated for each  
6 meeting. We have a meeting coming up November 3rd and 4th.  
7 And so each meeting, when it's updated, has just a brief issue  
8 background, then it gives the current status, so that the  
9 commission can track the progress on each one of these issues.  
10 It's a good reference, not only for the commission members, if  
11 they're new, but also staff, to go back and be able to follow  
12 each of the issues. And each meeting is run just flipping from  
13 page to page. The Park Service issues are in green. And then  
14 when an issue has been resolved, it turns into lavender. So  
15 it's pretty straightforward. Let me pass this around.

16  
17 MR. LEE TITUS: What color are we in?

18  
19 MR. GOOD: Unresolved.

20  
21 MR. WELLS: Now, where we intend to go with that,  
22 that's still a draft. We're going to meet November 3rd and  
23 4th. We'll get the commission's blessing on that. And then it  
24 will go out -- we're going to meet with the state and get their  
25 comments, and then it'll go out for a 60-day public review  
26 period. And we intend to put it to the regional councils, and  
27 we deal with three regional councils. And so it'll go through  
28 at least two meeting cycles for your council. So we welcome  
29 any kind of input that you'd have in the development of this  
30 thing. So you'll have at least two other meetings, and we'll  
31 get copies of that after this November 3rd and 4th meeting when  
32 it's updated. So we'd sure welcome anything you have, any  
33 advice or comments on that.

34  
35 The next think I wanted to update you on is the  
36 resident zone rule making. And this started quite a while ago,  
37 but our commission recommended years ago that Northway be added  
38 as a resident zone community for Wrangell-St. Elias National  
39 Park. Actually, about a year and a half ago, the Park Service  
40 committed to drafting rule making that would include, not only  
41 Northway, but the community of Tetlin, and since then, because  
42 of some of the work that's been done on the Upper Tanana  
43 communities, we've added in that rule making the communities of  
44 Dot Lake and Tanacross. So it's Northway, Tetlin, Dot Lake,  
45 and Tanacross. And where we are in that process right now is  
46 we just completed a draft environmental assessment for that  
47 rule making. We've written the draft proposed rule, and we'll  
48 take that to the SRC at this meeting on November 3rd and 4th.  
49 And then if they endorse that, then we'll go forward with that

50 and we'll publish it as a proposed rule. And hopefully about a

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1 year it will take, if everything goes well, and the rule would  
2 be issued as a final rule, and those four communities would be  
3 added.

4  
5 One project that I just wanted to update you on - I  
6 talked about Katie Jon and her fishery at Batzulnetas, and it's  
7 a very important fishery for the Ahtna and Upper Tanana people.  
8 And we didn't really -- with the pending federal management of  
9 fish, we know very little about that fishery. And we did get  
10 some money this year, and we worked in a cooperative project  
11 with Mentasta Village and we hired two students, put a weir in  
12 on Tanada Creek that these students ran, and got some good  
13 indication of numbers of fish that are making that run and the  
14 timing of that run up to the lake to spawn. We got upwards  
15 of -- I counted at least 20,000 fish, I think, before that big  
16 storm blew out the road and Tanada Creek, blew out the weir.  
17 So we're hoping to do that again next year. I think we  
18 received funding for that.

19  
20 The last thing I want to mention is something that the  
21 council's been involved in for at least a year and a half, this  
22 is a Park Service-wide issue, is a review of the Subsistence  
23 Management Program. And you've made comments on that in  
24 previous meetings, but I just wanted to update you that we,  
25 over a period of about a year, we collected comments from all  
26 the regional councils, the Subsistence Resource Commissions,  
27 the public, the state, and anybody who wanted to comment. And  
28 what we did is a few years ago we realized that we needed to  
29 take a step back and look at, not only the law, ANILCA, but our  
30 regulations the Park Service enacted in 1981 for managing  
31 subsistence, and look at the legislative history. And take a  
32 step back and just kind of figure out where we're going in  
33 terms of our subsistence management program. And a lot of  
34 things came to light through that process. Many of the issues  
35 are very complex. And I think one of the most important items  
36 that came up was, particularly, eligibility and the C&T use  
37 process.

38  
39 Since the federal program has started, and some of the  
40 state programs have come about, they're kind of in conflict,  
41 and there's a need to make some of those processes a lot  
42 simpler. So hopefully in the next couple of years we'll take a  
43 real serious look at Park Service regulations dealing with  
44 eligibility. That's sort of determining who's local to parks  
45 or not. It's intended to be a dynamic kind of a paper that  
46 addresses many areas of program management for subsistence in  
47 the parks, from eligibility, to access, to the management of  
48 resource commissions, timber use, cabin use, a variety of  
49 things. And that has come out and it's been out for a while



50 now. And it's not something that will stay static. If anybody

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1 on the council or anybody of the public has any comments, we're  
2 always receptive to those, and they'll be updated periodically.  
3 And that actually was all I had, so I'd be glad to answer any  
4 questions, if anybody has anything.

5  
6 MR. PHILIP TITUS: What kind of fish were you  
7 monitoring?

8  
9 MR. WELLS: Salmon species. In fact, Russell, maybe  
10 you can give a little more detail on that. Russell is our  
11 Chief of Resource Management.

12  
13 MR. GALIPEAU: Good evening. My name is Russell  
14 Galipeau, and as Jay said, I'm the Chief of Resources  
15 Management. And when we got into the Tanada Fish Project, we  
16 went right away to Mentasta Village and Chistochina to work  
17 with the two village councils there to see what was the best  
18 way to run the weir project, because we actually ran it off of  
19 Katie Jon's property, so we wanted to get permission and work  
20 with her. And we actually tied it in with her culture camp,  
21 also, so when they had their culture camp there, we went into  
22 the whole reasoning behind why the fish weir and how to get  
23 better numbers of fish. Fish and Game has got numbers on  
24 Tanada Creek that go back several years, and they ran a weir  
25 much higher up on Tanada Creek. I think it was in the  
26 eighties, or maybe the late seventies, and so no real work, or  
27 in-depth work, has been done on Tanada Creek until this past  
28 year. And the salmon primarily are Red Salmon that are coming  
29 in there, and there are some King Salmon. And the big question  
30 is where the King Salmon spawn, of course, in Tanada Creek.  
31 Mostly Reds are going all the way up to Tanada Lake.

32  
33 MR. GINNIS: Mr. Chairman?

34  
35 MR. MILLER: Go ahead, Steve.

36  
37 MR. GINNIS: You know, I didn't quite understand the  
38 issue that you're raising about resident zone. You said  
39 something to the effect that it was going to come back here  
40 probably a couple more times, or something like that effect.

41  
42 MR. WELLS: Yeah.

43  
44 MR. GINNIS: I'm just wondering, what's your  
45 interaction with the communities that this thing actually  
46 affects? I mean, do you go back to them for their  
47 recommendations, or their suggestions, or whatever?

48  
49 MR. WELLS: Yeah, we have. Actually, a lot of these --

50 the original proposal came from those communities, came through

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1 our Subsistence Resource Commission. This summer -- we haven't  
2 been to Dot Lake yet this year, but we've had quite a few  
3 discussions with Bill Miller here, and we were in Tanacross  
4 this summer talking with the village council, and in Northway.  
5 And we have not yet been to Tetlin. Our trip there was  
6 scrubbed because of weather, but this is something that these  
7 communities have wanted for some time and we're responding to  
8 that. The commission has recommended that for some time. And  
9 we added in two of those communities based on some of the work  
10 that was done on the Upper Tanana communities for the customary  
11 and traditional use determination. So we've been working  
12 fairly closely with the communities, and hopefully this rule  
13 making, if we can get it through, will satisfy their concerns  
14 for being eligible to hunt in the park without a permit. They  
15 can right now with a permit, and we've issued a number of those  
16 in Northway, Tanacross, Doris Charles, from here, and -- but  
17 anyway, once this goes through, means they won't have to have a  
18 permit. They'll be considered local to the park and can hunt  
19 in the park without that permit. Thank you.

20  
21 MR. MILLER: One more question. You mentioned Doris  
22 Charles hunting. Is that just for her or her decendents, or  
23 who all -- how does that work?

24  
25 MR. WELLS: Well, once -- the way it works is, for  
26 eligibility in the parks, if you live as a member of a -- live  
27 in a community that's one of the -- right now there are 18  
28 communities in our resident zone. If you live in that  
29 community, anybody can hunt in the park, as long as they have  
30 positive C&T determination, without a permit. If you don't  
31 live in one of those communities, you have to get this  
32 eligibility permit. Doris has one. Anybody in her household  
33 right now can hunt in the park, assuming there's positive C&T,  
34 under that permit. Now, if Dot Lake becomes a resident zone  
35 community, anybody in Dot Lake can hunt in the park without --  
36 any permanent resident of Dot Lake can hunt in the park without  
37 a permit. And people that are born into the community or marry  
38 in can also do that as well; can hunt as well.

39  
40 MR. MILLER: Okay, and one more question. When you  
41 said the Community of Dot Lake, do you mean the whole  
42 community, or the Native Village of Dot Lake?

43  
44 MR. WELLS: Native Village. Our proposed rule -- and  
45 the way that works is that the proposed -- when the rule goes  
46 through, the community will have a year; you know, the tribal  
47 council, the village government, whoever, can tell us what they  
48 want included as part of that community. And in this case,  
49 we've already received a request through the village council

50 that it be limited to the Native Village of Dot Lake. And the

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1 way the rule is written right now, the draft rules, that the  
2 communities will have a year to give us, you know, where they  
3 want the -- what they want the community to include. For  
4 example, Northway, when we were in Northway, they didn't want  
5 to limit the community of Northway just to the Native village.  
6 So in the absence of any recommendations, we'll just default to  
7 the census boundaries, which are quite broad, and in fact,  
8 Northway there's three of them. We were supposed to have a  
9 copy of those maps from Anchorage, but they didn't come in  
10 today. So that's the way it goes. It'll be up to the -- some  
11 kind of village or community entity to recommend a boundary if  
12 they want one, and we'll defer to that.

13  
14 MR. PHILIP TITUS: When the spawning grounds get -- are  
15 you trying to find them?

16  
17 MR. WELLS: No, we know where they're coming. We're  
18 trying to get an indication of the timing of the run and the  
19 different -- well, we know the species, but the numbers of fish  
20 and the distribution by species.

21  
22 MR. GALIPEAU: Yeah, part of that reasoning is because,  
23 as you follow the regulations, Katie Jon has been limited to  
24 how many fish she could take. And so what we're trying to do  
25 is get better numbers and work with Fish and Game on that to  
26 determine what is the actual harvest level that that population  
27 can sustain. And possibly, you could take more fish, or  
28 possibly you could take less. So we're just trying to get  
29 better numbers to make a better call on the harvest numbers  
30 that can be taken off of that fishery.

31  
32 MR. PHILIP TITUS: Well, in the future, we might have  
33 to be dealing with the fish, and we need to know where they're  
34 going to and how many there are.

35  
36 MR. WELLS: That's exactly why we're doing it. We know  
37 where they're going to spawn, but we just don't ....

38  
39 MR. PHILIP TITUS: Okay, that's my question. Do you  
40 know where they're spawning at?

41  
42 MR. WELLS: Oh, yeah.

43  
44 MR. GALIPEAU: The Reds are spawning in Tanada Lake,  
45 and the Kings, they spawn upper parts of Tanada Creek. We  
46 haven't found exactly where yet.

47  
48 MR. PHILIP TITUS: Right under the bridge.

49

MR. GALIPEAU: Mr. Miller, I think the one thing you

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1 should also realize, when Jay was talking about the rule  
2 making, that is a public process. So it's another way for the  
3 people to express their concerns about how to define these  
4 communities. There also will be an environmental assessment  
5 associated with that that will help portray the customary and  
6 traditional use of these communities, which warrants their  
7 addition as resident zone communities. But remember, that is a  
8 public process, too, and the environmental assessment will  
9 serve part of our regulation procedures, but we also will be  
10 holding, when it becomes a public process, hearings in the  
11 affected communities. So that's still a piece that has to be  
12 done. So be aware that that is a public process and input is  
13 very important. Positive input as well as negative input.

14  
15 MR. MILLER: In other words, this is the first step, in  
16 other words.

17  
18 MR. WELLS: Right. We just want to alert you to that  
19 process. You'll have at least two more shots at it, through  
20 the public comment period and through regional council  
21 meetings, to comment on the rule making and to collect  
22 testimony or input from whoever you think might be important to  
23 justify the addition of those communities. And there probably  
24 will be people out there that will object to it, so it's  
25 important to turn out for those and support it, if you support  
26 it.

27  
28 MR. MILLER: Any more questions? Thank you guys for  
29 your time.

30  
31 MR. WELLS: Thank you.

32  
33 MR. MILLER: And down to -- is there anybody here from  
34 BLM?

35  
36 MR. MATHEWS: No, we would still have Yukon-Charley and  
37 Denali National Park.

38  
39 MR. MILLER: Oh, okay.

40  
41 MR. TWITCHELL: Chair, council members, Hollis  
42 Twitchell with Denali National Park. I have just two items  
43 that I wanted to talk to you about, and one of them involves  
44 the Tanana community as a possible resident zone, and the  
45 response from the Denali SRC in regards to that. And the other  
46 one is village histories that we're going to want to be working  
47 with the different communities around Denali with, and so I'll  
48 mention that as well. In Tab K of your report, meeting  
49 notebook, there's also just a written informational sheet that



50 I sent in in your notebook regarding Denali issues, so I won't

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1 go into those in any detail, beyond what's there, and go ahead  
2 and move onto the Tanana resident zone.

3  
4 The Denali SRC met in March 1997, and that was shortly  
5 after the Eastern Interior Council meeting, in which the  
6 community of Tanana requested consideration as a resident zone.  
7 What I prepared, or what the Park Service prepared, for the SRC  
8 was found about in midsection of Tab K. If you look right  
9 beyond that Park Service paper, it goes to page 27, after  
10 page 27 in Tab K is where there's information that was  
11 initially gathered just to provide some background for Denali  
12 SRC. And what that is is a little bit of dialogue on what is  
13 necessary ....

14  
15 MR. FLEENER: Excuse me, Hollis, one second. Can we  
16 have some quiet in the back, please? It's a little loud up  
17 here. Sorry, Hollis.

18  
19 MR. TWITCHELL: Is this better? Okay, I'll just slide  
20 forward a little bit. The information that was presented to  
21 the SRC was just a gathering of background on what is required  
22 for a resident zone to be established for a park area. And  
23 then subsequent to that is some literature that is out there  
24 and available regarding the Native uses for the community and  
25 the Tanana area. I won't go through all of the different  
26 elements of that. It's there for you to review. And I'll just  
27 move to the summary in the back on page 11. And what that  
28 represents, in terms of the published information that's  
29 available, it appears that there's clearly an ancestral use of  
30 portions of Denali National Park relating to peoples that  
31 reside in the Tanana area. Some of the oral histories that are  
32 available. It shows records of use up through in the early  
33 1900's, and as late as probably the 1930's and 40's. Most of  
34 the people who had utilized that area have moved off away from  
35 the area. What we do know is that there's only one individual  
36 from Tanana who is currently returning and utilizing that area,  
37 the Paul Starr family, and he's here today, if you would like  
38 to speak with him. We don't have any other people from Tanana  
39 that we're aware of that are coming over and actually using the  
40 park area currently. What we've presented is, we don't  
41 have ....

42  
43 MR. FLEENER: Can I ask you one question, Mr. Chair?  
44 Is that because you have to have - what's the word - a permit,  
45 or something, before you can go down there? So the reason that  
46 nobody's going down there is because they don't have a permit,  
47 not because they don't want to. Is that possibly correct?

48  
49 MR. TWITCHELL: I'll defer that to Paul. He's much

50 more familiar with the people in Tanana and whether they

0139

1 just ....

2

3 MR. FLEENER: But you do have to have a permit, right?

4

5 MR. TWITCHELL: To utilize the park areas, you would  
6 need a permit.

7

8 MR. FLEENER: And he's the only one that's permitted?

9

10 MR. TWITCHELL: Currently from Tanana. I guess I would  
11 like to point out that the preserve lands in the Denali area,  
12 which is going to be the lands around Lake Minchumina and  
13 south, you are not required to have an eligibility permit to  
14 utilize that. So the people of Tanana currently need no  
15 special Park Service authorization to come down and utilize  
16 those preserve lands, which are fairly significant,  
17 encompassing the Muddy River, the Foraker River, the Herron  
18 River, portions of the Swift Fork. So what we're talking about  
19 is just those lands inside of the park, which would be more to  
20 the east of that area.

21

22 So what we don't know is whether there's a significant  
23 concentration of people, subsistence users in Tanana, that have  
24 customarily and traditionally used resources within Denali  
25 National Park. Just looking at this literature that's here,  
26 that was available to us, that didn't provide that information.  
27 The letter that you have from Denali SRC, that was in your  
28 Tab G, asked for two things. The commission, after reviewing  
29 this information and speaking with Paul Starr, who is an active  
30 member and was present at this meeting, recommended that the  
31 Park Service should work with the community of Tanana to  
32 evaluate whether they should be added as a resident zone, and  
33 in the interim, to travel to Tanana to find out if there's any  
34 other individuals such as Paul who has a personal or family  
35 history of customarily and traditionally using those park  
36 lands, and if so, authorize them to use the area. So in  
37 response to those requests, we traveled to Tanana, after  
38 coordinating and consulting with Gerald Nicholia. And he was a  
39 great help to us in terms of posting and passing the word  
40 around in the communities when we were coming, and actually  
41 going door to door to try to talk to people who had used that  
42 area. So we traveled to Tanana in August for that meeting.  
43 And Gerald has a letter, I believe, that he is going to pass  
44 out to you that reflects that visit.

45

46 MR. MILLER: Excuse me. Go ahead, Philip.

47

48 MR. PHILIP TITUS: My concern is that once they're cut  
49 off from utilizing that area for subsistence, in the future

50 that they need that area, that they not be able to get back in

0140

1 there once they're cut off. So I'd like to see that option  
2 remain open for them, just for the future. But Tanana, they  
3 didn't hardly get no moose this season, the residents of  
4 Tanana.

5  
6 MR. STARR: My name is Paul Starr. I was newly elected  
7 on the Subsistence Resource Commission for Denali Park. And I  
8 have to say, honestly, I'd have to agree with Mrs. Collins on  
9 the feasibility study that they want to do on the eligibility  
10 of subsistence users. But if you look on this map here, you'll  
11 see on this little map here that 20-C you'll find the Lake  
12 Minchumina area. It's open to any subsistence users east of  
13 Lake Minchumina. That would be the Rush Creek River, south of  
14 the Kantishna River, it's all restricted just to permit users  
15 only. So what I'm saying to you is, the advisory council, that  
16 there is no restriction use of Tanana people west of Rush Creek  
17 River. So in the future, they would lose no rights, unless the  
18 Park Service decides in a few years to extend their  
19 restrictions over to cover the rest of the colors, as you look  
20 at them, as you see it here. And if they do decide that they  
21 wanted to take all of that, then I would be restricted. Then  
22 you'd have to go back to this letter and find the roster list  
23 that would be for Tanana. And the people that would use it  
24 would have to be eligible prior to what's happened in the last  
25 few years, that it's known that -- what I'm trying to say that  
26 east of Rush Creek River is restricted area. That's only on --  
27 you can trap there and hunt that area under the permit. And it  
28 would ....

29  
30 MR. GINNIS: Mr. Chairman?

31  
32 MR. MILLER: Go ahead, Steve.

33  
34 MR. GINNIS: You know, I guess I'm a little bit  
35 confused here on this whole issue, you know. My understanding  
36 was that when we had that meeting down in Tanana, I think the  
37 motion, or I guess there was some directive made to include  
38 Tanana as a resident zone so they can utilize this area, right?

39  
40 MR. TWITCHELL: That's correct.

41  
42 MR. GINNIS: All right. Now, from looking at what you  
43 have here, this information that you have supplied us right  
44 here, I mean, when I look at that, it's easy for me to just  
45 look at this, and I think this is documentation ....

46  
47 MR. TWITCHELL: Yes, it is.

48  
49 MR. GINNIS: .... already that establishes that they

50 had prior use. So what's the issue?

0141

1 MR. TWITCHELL: The only issue is whether there's  
2 significant concentration of people now in Tanana who have that  
3 customary and traditional use. And that is what it hinges on,  
4 whether a resident zone community can be established or not.  
5 So what we've proposed to do is go back to the Tanana Village  
6 Council to meet with them, and we're going to see whether  
7 they're interested in producing a village history information  
8 on what their people's use was up in the Denali area. And  
9 we'll be coordinating that travel back to Tanana Village this  
10 winter. And we are prepared to provide funding to the Tanana  
11 Tribal Village to have them do that documentation themselves,  
12 either through a village member, or through someone of their  
13 own choosing. And we will provide funds for that information.  
14 That information then will be used, and will answer that  
15 question in terms of whether there's a significant  
16 concentration of people who use that area. The result from  
17 that, then, would be, if that is the case, we would go through  
18 rule making similar to what has been done with  
19 Wrangell-St. Elias regarding adding their resident zones, and  
20 we would begin that process. So that's what we intend to do,  
21 and that's how we plan to proceed. And that's in consultation  
22 with the SRC, and I believe moving forward in terms of the  
23 request of this council that we work with the village tribal  
24 council to evaluate that.

25  
26 MR. FLEENER: Mr. Chair, a significant is concentration  
27 is 51 percent or greater? Is that ....

28  
29 MR. TWITCHELL: That was what was recommended in the  
30 Park Service paper. But I think what is important to point out  
31 is that's not the final determination or answer. One of the  
32 things that Jay mentioned is that the eligibility process for  
33 the Park Service is something that would be looked at seriously  
34 in the future, in terms of resident zones versus individual  
35 permits. And one of the aspects that was very controversial,  
36 in terms of comments in that comment period, was that 51  
37 percent may be too high; that we may need to be looking at the  
38 lower percentages and just what that significant concentration  
39 would be.

40  
41 MR. FLEENER: Well, that was going to be my suggestion,  
42 because 51 percent means that over half of the people are going  
43 down there, and that's -- there are a lot of communities where  
44 there -- and you know, because of the last meeting, that there  
45 are certain individuals who do the majority of the hunting.  
46 And there may be 15 people - I'm not speaking for Tanana - but  
47 there may be 15 people that do the majority of the hunting for  
48 the community, and they would never qualify under a 51 percent  
49 or greater standard.





0142

1 MR. MILLER: Go ahead, Nat.

2

3 MR. GOOD: Two things. First one, under research here,  
4 you do note Hudson Stuck, but you've got the right man in the  
5 wrong book. Ten thousand miles with a dog team is the wrong --  
6 I believe to the top of the world, Hudson Stuck was the --  
7 Hudson Stuck's party was the first group to climb McKinley,  
8 Denali, whichever you wish to call it. And of course Walter  
9 Harper was the first man to the top. But all of the  
10 observations that Hudson Stuck makes about the Native people  
11 and the terrain as he crosses Denali, really should have been  
12 part of this research. It's from the same time period, and you  
13 have very little from that time period. Second, how long has  
14 Denali been a national park?

15  
16 MR. TWITCHELL: Established in 1917.

17

18 MR. GOOD: And by that, I would like to suggest that  
19 somewhere along the way people have probably been discouraged,  
20 and likely by the Park Service, from utilizing the park. So I  
21 think that they've probably been -- you know, intentionally,  
22 otherwise, but things change over time. I think that the Park  
23 Service has, somewhere between then and now, intentionally  
24 discouraged people from utilizing the park.

25  
26 MR. TWITCHELL: Well, I would expect that through the  
27 course of the village histories, that that information will all  
28 be brought out in terms of what effect management of the areas  
29 by state, federal, whatever. So the village histories would be  
30 free for the people to identify what has happened over time, in  
31 terms of their use areas, what was the traditional use areas,  
32 what affected their usage in the past and contemporarily, so I  
33 would expect all that to be well presented.

34  
35 MR. GINNIS: Mr. Chairman?

36  
37 MR. MILLER: Go ahead.

38  
39 MR. GINNIS: Well, you know, I just want to thank you  
40 for your efforts at trying to move forward on this. But I just  
41 can't believe the bureaucratic rigmarole involved in trying to  
42 get this thing done. You know, like I said, when I look at  
43 this information right here, it clearly indicates that people  
44 from Tanana have used that area. And I don't know if -- I  
45 mean, what other significant kind of information you're  
46 seeking, but it just kind of interests me that there's so  
47 much -- it just seems like there's a layer of this and a layer  
48 of that before you get to up here, you know. And I hope that  
49 in some of these instances that we can get around some of

50 these -- instead of implementing rules and regulations right to

0143

1 the T, like it seems to me like that's what most managers do,  
2 you know. There must be some way of trying to get around some  
3 of this stuff, you know. But it just kind of interests me that  
4 there's so much bureaucracy to get this kind of a thing  
5 accomplished. To me it's very simple. I mean, to me it's very  
6 simple, and some of that information is already here. Maybe  
7 it's not adequate for you, but for me it looks pretty good.

8  
9 MR. TWITCHELL: Well, this is a good start. And we'll  
10 certainly be willing to move forward and proceed as quickly as  
11 we can. And that's one of the reasons we'll be returning to  
12 Tanana Tribal Council and working with them this winter.

13  
14 MR. FLEENER: Mr. Chair, I also think it's a good  
15 start. It's a lot more cooperation, I guess, that Tanana has  
16 seen in a long time. And it seems like the old way was, you  
17 can't hunt here unless you have a permit, and you can't have a  
18 permit unless you've hunted here. So now it seems like they're  
19 at least trying to take a step beyond that, so that's good.

20  
21 MR. TWITCHELL: Okay, thank you. The only other item  
22 was we'll also be doing village histories with other  
23 communities as well, so it was very beneficial that this effort  
24 has come along at this time. So I think it'll really help us  
25 to move forward. That's the only two items that I wanted to  
26 talk to you about.

27  
28 MR. FLEENER: Yukon-Charley's next.

29  
30 MR. MILLER: Yukon-Charley? Okay.

31  
32 MR. FLEENER: Thank you, Hollis.

33  
34 MR. MATHEWS: Yeah, Yukon-Charley would be next, but  
35 she needs to change her tape, so maybe ....

36  
37 MR. MILLER: Let's take five.

38  
39 MR. MATHEWS: I don't know if you want to take five.  
40 Maybe take a minute or so. She needs ten seconds.

41  
42 MR. FLEENER: Then we'll break for ten seconds.

43  
44 (Off record)

45  
46 (On record: 6:15 p.m.)

47  
48 MR. MILLER: Okay, we're at Yukon-Charley Rivers  
49 National Preserve.



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1 MR. ULVI: Okay. Yeah, thank you, Mr. Chairman. Steve  
2 Ulvi, ANILCA Subsistence Coordinator for Gates of the Arctic  
3 National Park and Yukon-Charley Rivers. Kevin Fox, the Chief  
4 of Operations from Eagle, is trying to make it in, and he'll  
5 probably make it in tonight, so he'll be here tomorrow, because  
6 I know there's a proposal to be discussed. But he may have  
7 something else to add here, too, if I don't quite catch  
8 everything. I just have a couple of very short things. You  
9 can move on in the agenda here. First, I just wanted to  
10 report, as I have in the past, and there's a number of people  
11 here from other agencies that participated also, and that is  
12 the Earth Quest Resource Management Camp again occurred in  
13 Yukon-Charley Rivers Preserve at Cold Creek Camp this past  
14 June. Twenty students or so from rural Alaska were there with  
15 a chance to work with agency and other professionals in  
16 resource management issues, in hands-on resource management  
17 type projects. Earth Quest is a partnership of a wide variety  
18 of state and federal agencies and Native groups in Tanana  
19 Chiefs Conference, and we really have a diverse number of  
20 professionals who work with these kids, and I think have done a  
21 fine job in the past, and we have plans to conduct Earth  
22 Quest IV again next year, although it will not be in the  
23 preserve; probably be in the Fairbanks area.

24  
25 Secondly, we're reviewing right now a long awaited  
26 Subsistence and Ethnohistory Study for the Yukon-Charley area,  
27 primarily the communities of Eagle, Eagle Village, Circle, and  
28 Central, and the historic and contemporary use patterns in that  
29 area. It's taken a number of years, primarily because some of  
30 the individuals who are with the universities doing the work  
31 with locals, had some very serious problems with injuries and  
32 accidents and some other things that have just prolonged the  
33 whole thing. But we hope that when this is done, it looks to  
34 me as though it will be a very useful document and have a lot  
35 of useful information for groups such as yourself for  
36 regulatory proposals or customary and traditional use  
37 determinations, you know, those kinds of things.

38  
39 Thirdly, I have brought up before this council before  
40 that there were some concerns voiced in kind of an on the  
41 street corner kind of a way by some people in Circle and  
42 Central, down at sort of the western end of the preserve, about  
43 the numbers of sport hunters who are coming and hunting moose  
44 on the Yukon River in the fall. And what we've done is in the  
45 last few years we've kicked up our monitoring and checking of  
46 licenses, monitoring those camps, trying to reduce want and  
47 waste whenever possible, and on occasion give citations. But  
48 we've been monitoring that use, and it appears - Kevin Fox  
49 again can speak more explicitly about this - but it appears

50 that the numbers of camps of people who are primarily

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1 transported in by transporter licensed people, is decreasing  
2 over say three years ago, or four years. And in conjunction  
3 with that, we have a moose survey, trend area type survey,  
4 which has not -- we have not been able to do for a number of  
5 years, that's scheduled, given decent weather conditions, is  
6 scheduled to occur next month, concentrating on the Yukon  
7 corridor and the lower stretches of the larger side  
8 tributaries, such as the Charley and the Kandik and the Nation,  
9 where most of the sport hunting occurs.

10  
11 And so we hope to get much better idea about the trends  
12 of the moose population there, and a rough idea of densities.  
13 And our best professional guess at this stage, with the  
14 Department of Fish and Game and the Park Service and local  
15 residents, is the moose density is moderate, in some areas low  
16 to moderate, and probably a very, very few areas where there's  
17 anything better than a very moderate moose population, a very  
18 low density Interior type moose population. But our  
19 understanding at this stage is that the moose population that  
20 is there will sustain both the sport and subsistence use that's  
21 going on. But it is something -- with the preserves, we have a  
22 situation where we don't have the eligibility definitions that  
23 we have for the park areas, which you've been discussing with  
24 Hollis and Jay here earlier, with the 1344 permits, or with the  
25 resident zones. Congress didn't choose to do that for the  
26 preserves, so they're more like refuges, where all rural  
27 residents are eligible. And we also have sport hunting that's  
28 allowed. So we do -- we're not asleep on the issue, that at  
29 some point if that moose population were to decrease greatly,  
30 or there was an increase in non-local use, that we would have a  
31 potential conflict, and very probably have to begin to look at  
32 allocation, because we may not be providing for a reasonable  
33 subsistence opportunity, which is the underpinning of a  
34 subsistence priority.

35  
36 MR. MILLER: What do you guys consider as a moderate  
37 count? I mean, X amount of moose per X amount of square miles?

38  
39 MR. ULVI: I'm sorry, I can't respond to that, I'm not  
40 a biologist. When Kevin comes, I'll pass that question on to  
41 him. I don't know if Craig Gardner is still here, but he --  
42 Craig, do you have any idea what the moose density is there on  
43 the Yukon River?

44  
45 MR. GARDNER: Oh, I'd say you know, probably .3 to .6  
46 moose per square mile. That's probably be kind of a  
47 moderate (inaudible - away from microphone).

48  
49 MR. FLEENER: A third of a moose per square mile? One



50 moose per ....

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1 MR. MILLER: So you guys figured that as a moderate  
2 number? Seems kind of like a low number to me.

3  
4 COURT REPORTER: Excuse me, I didn't get that on the  
5 record.

6  
7 MR. MILLER: Hey, Craig?

8  
9 MR. ULVI: Craig Gardner, area biologist from Tok, said  
10 that his best recollection of the moose densities up there is  
11 about .3 or so moose per square mile. So it's a very low  
12 density population for certain parts of the state, but for the  
13 deep Interior, I think that's considered a moderate moose  
14 population. And that's certainly arguable. I'm not arguing  
15 that it is. That's just the terminology that at least I'm used  
16 to hearing, being a non-biologist. So we could speak further  
17 to that, if you'd like, but Craig would have to come up or wait  
18 for Kevin Fox to get here.

19  
20 MR. FLEENER: I have a question.

21  
22 MR. GINNIS: Go ahead.

23  
24 MR. FLEENER: Where do you hold your surveying when you  
25 do your moose hunting survey? Is it at the Circle ramp, the  
26 Circle boat landing?

27  
28 MR. ULVI: Mr. Chairman, sometimes we're down there  
29 checking licenses, talking to people before they go up, after  
30 they've come back. Mostly it's checking the camps actually  
31 that are in the preserve along the Yukon Corridor, and both by  
32 air and by boat, and the lower stretches of the side  
33 tributaries.

34  
35 MR. FLEENER: And another question is, have you guys  
36 considered the possibility of including Fort Yukon in your  
37 ethnohistory study, because I know of at least three families  
38 that have told me about hunting up above Circle. You know,  
39 there's a lot of relatives that go back and forth between Fort  
40 Yukon and Circle, and I know of a few families that hunt up  
41 there. And I was just wondering if that was a consideration.

42  
43 MR. ULVI: Mr. Chairman, that was not a -- Fort Yukon  
44 was not directly considered in that study. As I said, Eagle,  
45 Eagle Village, Central and Circle were. However, if this study  
46 is any good, and I actually brought it along with me to try to  
47 begin to review and pencil comments in tonight, if it's any  
48 good, it will relate to some of those family histories if the  
49 people have dug in well enough and done their research. So I

50 hope it does reflect that sort of thing.

0147

1 MR. FLEENER: Okay, as long as you're aware which -- I  
2 assume -- you sound like you are, so thank you.

3  
4 MR. ULVI: And so other than that last -- Mr. Chairman,  
5 that last issue really is, that given the proper weather  
6 conditions then, we will be trying to conduct this moose  
7 survey, which will give us a better idea of what's going on  
8 with the moose population along the Yukon Corridor. And that's  
9 really all I had to report. As I say, Kevin Fox, he'll be here  
10 tomorrow, may have more to add.

11  
12 MR. MILLER: Okay, any other questions?

13  
14 MR. FLEENER: Thank you.

15  
16 MR. GINNIS: Mr. Chairman?

17  
18 MR. MILLER: Go ahead, Steve.

19  
20 MR. GINNIS: Before we go on further, I'd like to ask  
21 the gentleman from the Denali Park several questions here. I  
22 think it's important to point out, you know this letter here to  
23 us from the Denali Park, kind of gives us kind of a brief thing  
24 on their council meeting that they had. It's this document  
25 right here.

26  
27 MR. MATHEWS: It's under Tab K. It's the first page.

28  
29 MR. MILLER: The first page.

30  
31 MR. GINNIS: Okay, what I wanted to find out has to do  
32 with Item No. 4. Item No. 4 has to deal with a temporary  
33 closure for the discharge of firearms in development areas -  
34 how do they say it, fishna(ph)? What I want some clarification  
35 on there is that, if I recall correctly, two years ago this  
36 council here addressed this issue. And we said no to it, and  
37 as far as I know, the Federal Subsistence Board supported that  
38 recommendation. I guess I'm just curious as to where the  
39 authority come from to temporarily close this park, or this  
40 portion of the area. I'll leave it at that, and then I got  
41 another question.

42  
43 MR. TWITCHELL: Okay. That proposal went through the  
44 regional councils and the SRC first, and then the regional  
45 councils, and then to the board. And it was a proposal to  
46 close one mile on either side of the Kantishna Road in the  
47 Kantishna developed area, which equates to about ten square  
48 miles. So it includes that corridor from the old park boundary  
49 out to the Kantishna airport. That proposal was sent to the

50 commission. The commission reviewed it. They modified the

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1 proposal to just 15 days, the first 15 days of September. That  
2 recommendation then went to the regional councils. If I recall  
3 right - and Vince, you'll need to correct me - but I understood  
4 that this council voted in support of that, as amended by the  
5 SRC. The Southcentral Regional Council voted not to support  
6 it, so there was two different positions taken by the councils.  
7 That then went to the Federal Subsistence Board, and the  
8 Federal Subsistence Board tabled the motion, and they suggested  
9 that, if the agency needed to deal with this, to deal with it  
10 through their own administrative processes, and through their  
11 own regulations. We then went back to Denali Subsistence  
12 Resource Commission after the Federal Subsistence Board  
13 meeting, and put the proposal before them again, and asked them  
14 whether they wanted us to proceed or not administratively  
15 through our own Park Service regulations. And again, the SRC,  
16 with the amendment that they made, and limiting it only to the  
17 first 15 days when there was high visitor use in the area. And  
18 then we took their support from that and administratively did  
19 the temporary closure.

20

21 MR. PHILIP TITUS: This closure, it's just for along  
22 the road, right?

23

24 MR. TWITCHELL: Yes, just along the road.

25

26 MR. PHILIP TITUS: How come it didn't state that in  
27 there, then we wouldn't have this ....

28

29 MR. GINNIS: No, the point I'm trying to make here I  
30 guess is that we did take a position, and it seems to me that  
31 this action is contrary to that position. And I guess I don't  
32 quite understand what the relationship between this commission  
33 and this board is. I mean, who has the final authority? Is  
34 there some kind of a breakdown here, or what's going on here,  
35 you know? Because I recall this about two years ago, I think  
36 it was, that we took action on this thing, and I thought that  
37 the action was to not support the closure at all. And then it  
38 went on to the Subsistence Board and the supported the  
39 position. That's the way I understood it. But maybe you need  
40 to research that.

41

42 MR. MATHEWS: Well, I need to get clarification from  
43 other staff, but my understanding is the board did table it, as  
44 you said. But Bill mentioned that to me, and I may need to  
45 consult with George on that, that they did table it because of  
46 deference to the agency management authority, if I remember  
47 correctly on that. And so then that left it to the Park  
48 Service to resolve this issue, and apparently this is how it  
49 proceeded from there. The commission -- your relationship to

50 the commission is, one, you appoint to it, but two, they're

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1 kind of like your sister or brother advisory group. They  
2 advise management of subsistence within the new additions to  
3 the park and preserve. So that's your relationship to the  
4 commission. And maybe Hollis can further lay that out. But  
5 you're kind of sisters to them. The park has different  
6 mandates set up by ANILCA, et cetera, so I'll stop there and  
7 let the Park Service pick up what pieces I've left out.

8  
9 MR. TWITCHELL: That is correct. And we'll have to ask  
10 Vince to double check the records again, but as I recall at  
11 that meeting in Northway, the Eastern Council voted in support  
12 of the proposal as amended by the SRC. So we'll need to double  
13 check the records on that as well.

14  
15 MR. MILLER: Go ahead there, Bill.

16  
17 MR. KNAUER: Mr. Chairman, Mr. Twitchell is correct.  
18 The Eastern Interior did support the proposal, the Southcentral  
19 region did oppose the proposal, and the Western Interior took  
20 no action. The board did not act on it, deferring it to the  
21 agency for their own administrative action, which they do have  
22 authority to do.

23  
24 MR. GINNIS: Well, I guess that's something that needs  
25 to be ironed out here, from my point of view. I mean, if  
26 there's no overriding authority from this board here, there's  
27 no need for us to even give direction, if agencies can just go  
28 ahead and implement whatever they feel is appropriate. I mean,  
29 I think that needs some clarification, for my purpose, anyway.

30  
31 MR. FLEENER: Mr. Chair?

32  
33 MR. MILLER: Go ahead, Craig.

34  
35 MR. FLEENER: It sounds like what they're saying is,  
36 the Eastern Interior supported this, the proposal, and ....

37  
38 MR. KNAUER: They did. The Eastern Interior did  
39 support this closure, and the agency does have the authority to  
40 make a closure for public safety.

41  
42 MR. FLEENER: No, supported the closure.

43  
44 MR. GINNIS: No, we voted against the closure, of this  
45 prohibiting of these firearms.

46  
47 MR. FLEENER: Not according to these two.

48  
49 MR. MATHEWS: Well, I don't have the records here.



50 He's going by the chart that was before the board. I assume

0150

1 that's correct, but I don't have all the documents here to ....

2

3 MR. FLEENER: We'd have to look at this some more  
4 later.

5

6 MR. LEE TITUS: Mr. Chair?

7

8 MR. MILLER: Go ahead, Lee.

9

10 MR. LEE TITUS: I don't think -- I understand what  
11 Steve's getting at. I think we dealt -- I mean, we discussed  
12 that at some of our earlier meetings, because there was cases  
13 in other regions where the regional council made a -- I mean,  
14 supported one proposal, and it was passed at a regional council  
15 level. But when they had a federal board meeting, when the  
16 proposal came up, it was challenged by SRC committee, because  
17 they opposed the proposal. And that's one of Steve's -- that's  
18 one of the issues he brought out, is why are we supporting this  
19 proposal when it can be overridden by somebody else? I mean,  
20 it's all in the bureaucratic trail that you take up to the high  
21 command.

22

23 MR. MATHEWS: Well, I think what I can promise is to  
24 investigate your actions and get back to you on that. But the  
25 question he is asking is, we still have to answer, is the  
26 makeup between the commissions and the councils and the board.  
27 And I'll leave that for Hollis and others to explain. But the  
28 board decided to table -- my understanding was to give the  
29 agency the ability to enforce its own authority in the  
30 management arena. I don't know how else to explain that.

31

32 MR. BOYD: Well, let me take a stab at it. I think  
33 clearly the Federal Subsistence Board has the authority to  
34 regulate the harvest of fish and wildlife, pursuant to  
35 Title VIII of ANILCA. At times, also for Federal Land managing  
36 agencies that have certain authorities also under different  
37 laws. They also have regulations that govern how they manage  
38 those lands, those public lands, under their stewardship. At  
39 times, the delegation of authority for the board, and the  
40 authority granted by law to the various agencies, overlap.  
41 This was one of those occasions. I think the board, in areas  
42 such as public safety issues - and this is a prime example of  
43 that - are at stake. The board will normally defer to the land  
44 manager, because they're the ones that are closest to the issue  
45 and understand the issue. That doesn't mean the board has  
46 given up its authority to regulate the harvest of fish and  
47 wildlife or subsistence uses under Title VIII. They take  
48 everything you say under advisement, but they may at times,  
49 because they're not as close to the issue when it comes to

50 administrative matters like public safety, they won't deal with

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1 that one. They will defer to the land managing agency, who  
2 does retain the authority to do those sorts of things. So I  
3 understand where there might be some confusion, and it's not as  
4 simple as we would like, or as straightforward as we would like  
5 it, where we have one entity that we're speaking to, like the  
6 board. In this case, I think the board decided that public  
7 safety on the park was an issue that the Park Service should  
8 attend to.

9  
10 MR. GINNIS: Well, I don't know, I just kind of -- I  
11 don't know, the way I view it, it's kind of undermining our  
12 authority, you know. I mean, we're charged with trying to deal  
13 with these kinds of issues, the way I understand it. And we  
14 try to deal with them. And yet when it comes to the Federal  
15 Board, they kind of reverse our decision. It would seem to me  
16 that they would consult with us before they would take that  
17 kind of an action. We're advisory to them, we advise them,  
18 these things work both ways. It's just not a one-way street,  
19 you know. Anyway, I'll go to the next item regarding your  
20 report. It's No. 6. You know, that kind of caught me, too, I  
21 guess I need an explanation on this one, supporting a request  
22 for individual exemption for an existing C&T determination for  
23 Healy Lake, for an individual. And here we just got done  
24 discussing Tanana and trying to get them into a resident zone  
25 status. And, you know, the response seemed to be that there's  
26 additional work to be done. I can understand that, too. But  
27 how can this be, you know, that one individual can get a C&T  
28 determination to hunt in Units 20(C) and 13(E)?

29  
30 MR. TWITCHELL: Within the Federal Program Regulations,  
31 this is not the Park Service, but the Federal Program  
32 Regulations, subpart E.

33  
34 MR. MATHEWS: B.

35  
36 MR. TWITCHELL: B, I believe it is, where it deals with  
37 C&T determinations. It does identify in there that for  
38 National Park Service areas only, that an individual who is  
39 excluded from using an area, based on a C&T determination, that  
40 he could request review by the Federal Subsistence Board as to  
41 whether he has a personal family history of use of that  
42 species. And in this situation, there's an individual who is a  
43 subsistence user of the park, who had moved to the community of  
44 Healy, and the community of Healy does not have a C&T  
45 determination for use of moose. This individual has a family  
46 history of moose going back four generations, and part of his  
47 eligibility for getting a permit to hunt on park lands involved  
48 his family's use of moose resources. He has requested of the  
49 Federal Subsistence Board if it would hear his case, and that

50 is going to be prepared and reviewed by the councils in this

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1 February cycle this winter. So that's how this scenario  
2 involved -- of an individual living in a community and area  
3 which currently doesn't have a C&T for use of the species, and  
4 then that ....

5  
6 MR. GINNIS: So what's the difference between this  
7 individual and the thing that we were just discussing earlier?

8  
9 MR. TWITCHELL: He lives in a community that doesn't  
10 have C&T use for moose, whereas Tanana has C&T use for moose in  
11 20(C). So that's the difference.

12  
13 MR. FLEENER: And he moved into Healy from ....

14  
15 MR. TWITCHELL: He moved into Healy from an area that  
16 had ....

17  
18 MR. GINNIS: Well, it's been an interesting -- well,  
19 I'll just leave it. Thank you.

20  
21 MR. FLEENER: Thank you, Hollis.

22  
23 MR. MILLER: Thank you, Hollis. I guess we'll recess  
24 until tomorrow morning, unless Vince has anything else he wants  
25 to do.

26  
27 MR. MATHEWS: Well, we can stay all night. Let's set a  
28 time to come back, because of travel for different people.

29  
30 MR. GINNIS: 6:00 in the morning.

31  
32 MR. MILLER: 9:00? Would 9:00 be okay with ....

33  
34 MR. MATHEWS: 9:00 is fine.

35  
36 MR. MILLER: I guess we'll meet here at 9:00.

37  
38 (Off record: 6:40 p.m.)

39  
40 \*\*\*\*\*  
41 MEETING ADJOURNED  
42 \*\*\*\*\*

C E R T I F I C A T E

UNITED STATES OF AMERICA )

) ss.

STATE OF ALASKA )

I, Sharon D. Gaunt, Notary Public in and for the State of Alaska and Reporter for R & R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 02 through 152 contain a full, true, and correct Transcript of the Eastern Interior Federal Subsistence Regional Advisory Council meeting taken electronically by me on the 15th day of October, 1997, beginning at the hour of 8:30 a.m. at the Community Hall, Dot Lake, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me to the best of my knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Fairbanks, Alaska, this 22nd day of October, 1997.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 09/03/00

S E A L